

CITY OF ARMADALE

AGENDA

OF DEVELOPMENT SERVICES COMMITTEE TO BE HELD IN THE COMMITTEE ROOM, ADMINISTRATION CENTRE, 7 ORCHARD AVENUE, ARMADALE ON TUESDAY, 22 AUGUST 2017 AT 7PM.

A meal will be served at 6:15 p.m.

PRESENT:

APOLOGIES: Cr M Geary

OBSERVERS:

IN ATTENDANCE:

PUBLIC:

“For details of Councillor Membership on this Committee, please refer to the City’s website – www.armadale.wa.gov.au/your_council/councillors.”

DISCLAIMER

The Disclaimer for protecting Councillors and staff from liability of information and advice given at Committee meetings to be read.

DECLARATION OF MEMBERS' INTERESTS

QUESTION TIME

Public Question Time is allocated for the asking of and responding to questions raised by members of the public. Minimum time to be provided – 15 minutes (unless not required)

Policy and Management Practice EM 6 – Public Question Time has been adopted by Council to ensure the orderly conduct of Public Question time and a copy of this procedure can be found at <http://www.armadale.wa.gov.au/PolicyManual>

It is also available in the public gallery. The public's cooperation in this regard will be appreciated.

DEPUTATION

CONFIRMATION OF MINUTES

RECOMMEND

Minutes of the Development Services Committee Meeting held on 18 July 2017 be confirmed.

ITEMS REFERRED FROM INFORMATION BULLETIN - ISSUE 13 / 2017

Outstanding Matters & Information Items

Report on Outstanding Matters - Development Services Committee

Reviews before the State Administrative Tribunal (SAT)

Health

Health Services Manager's Report - July 2017

Planning

Planning Applications Report - July 2017

Town Planning Scheme No.4 - Amendment Action Table

Subdivision Applications - WAPC Approvals/Refusals - July 2017

Subdivision Applications - Report on Lots Registered for 2016/2017

PAW Closure Report - Significant Actions during July 2017

Compliance Officer's Report - July 2017

Building

Building Services Manager's Report - June 2017 (Amended)

Building Services Manager's Report - July 2017

Building Health/Compliance Officer's Report - July 2017

Building Applications Monthly Statistics - July 2017

If any of the items listed above require clarification or a report for a decision of Council, this item to be raised for discussion at this juncture.

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1.1 - APPOINTMENT OF AUTHORISED OFFICERS - BUILDING ACT 2011

WARD : ALL
FILE No. : M/490/17
DATE : 15 August 2019
REF : KS/SH
RESPONSIBLE : Executive Director
MANAGER : Development Services

In Brief:

- Under the provisions of the *Building Act 2011* and associated regulations, Local Governments, acting as Permit Authorities, are required to appoint Authorised Officers for inspection of authorised structures and the investigation of unauthorised structures within the City.
- Under the provisions of the *Building Act 2011* Council, acting as a Permit Authority, is required to issue identity cards to persons designated as Authorised Officers.
- The City has recently employed Joseph Campbell as a Building Surveyor and is required to be appointed as an “Authorised Officer”.
- Recommend that appointment of the Officer be approved.

Tabled Items

Nil.

Officer Interest Declaration

Nil.

Strategic Implications

1.2.2.2 Implement effective management of risk to health matters.

2.5.1.4 Improve the City’s regulatory environment and streamline processes in order to facilitate business attraction and investment.

2.5.2.1 Implement the City’s Building Certification Services efficiently.

2.5.2.2 Deliver timely advice and action on building compliance matters.

Legislation Implications

Building Services (Registration) Act 2011

Building Act 2011

Building Regulations 2012

Health Act 1911

Health Services Act 2016

Strata Titles Act 1985

Health (Treatment of Sewage & Disposal of Effluent & Liquid Waste) Regulations 1974

Local Government Act 1995

Residential Design Codes 2013

Planning & Development Act 2005

Town Planning Scheme (TPS) No.4

Environment, Animals and Nuisance Local Laws 2002

Fencing Local Law 2011

Council Policy / Local Law Implications

Various Local Laws and Policies.

Budget / Financial Implications

The granting of the proposed authorisation will assist in more efficiently managing the City's commercial and residential building approvals. This will be achieved utilising existing organisational resources.

Consultation

The following departments were consulted:

- Corporate Services
- Development Services
- Planning Services
- Building Services
- Health Services.

AUTHORISATIONS

The *Building Act 2011* provides a relatively new system of approval for commercial and residential building applications and the ability for Local Governments, within their own districts, to appoint Authorised Officers to perform certain functions under this Act including undertaking inspections of authorised structures or investigating non-complying or unauthorised structures.

Local Governments can nominate which officers are authorised provided these officers have been employed in accordance with s.5.36 of the *Local Government Act 1995*.

The City has accordingly appointed Building Surveyor, Joseph Campbell under the *Local Government Act 1995* and Council approval of this nomination as an authorised officer is now required.

IDENTITY CARDS

The City is required to designate officers who are authorised persons and in this respect it is identified that Building Surveyor, Joseph Campbell is required to be issued with an identity card.

97. *Identity cards*

- (1) *A permit authority must give an identity card to each person designated by it as an authorised person.*
- (2) *An identity card must —*
 - (a) *identify the person as an authorised person; and*
 - (b) *contain a recent photograph of the person.*
- (3) *A person must, within 14 days of ceasing to be an authorised person, return the person's identity card to the designating permit authority.*

Penalty: a fine of \$5 000.
- (4) *Subsection (3) does not apply if the person has a reasonable excuse.*
- (5) *An authorised person must carry his or her identity card at all times when exercising powers or performing functions as an authorised person.*

OPTIONS

Council could –

1. Not appoint an authorised officer to discharge the requisite duties of the *Building Act 2011*.
2. Approve the appointment of an Authorised Officer, Joseph Campbell, and issue an Identity Card in accordance with the *Building Act 2011* thus more effectively discharging the duties required as a ‘Permit Authority’.

CONCLUSION

The proposed appointment of an Authorised Officer is consistent with the duties and responsibilities of the position and it is necessary for an officer to perform the duties of this position, therefore option 2 is recommended.

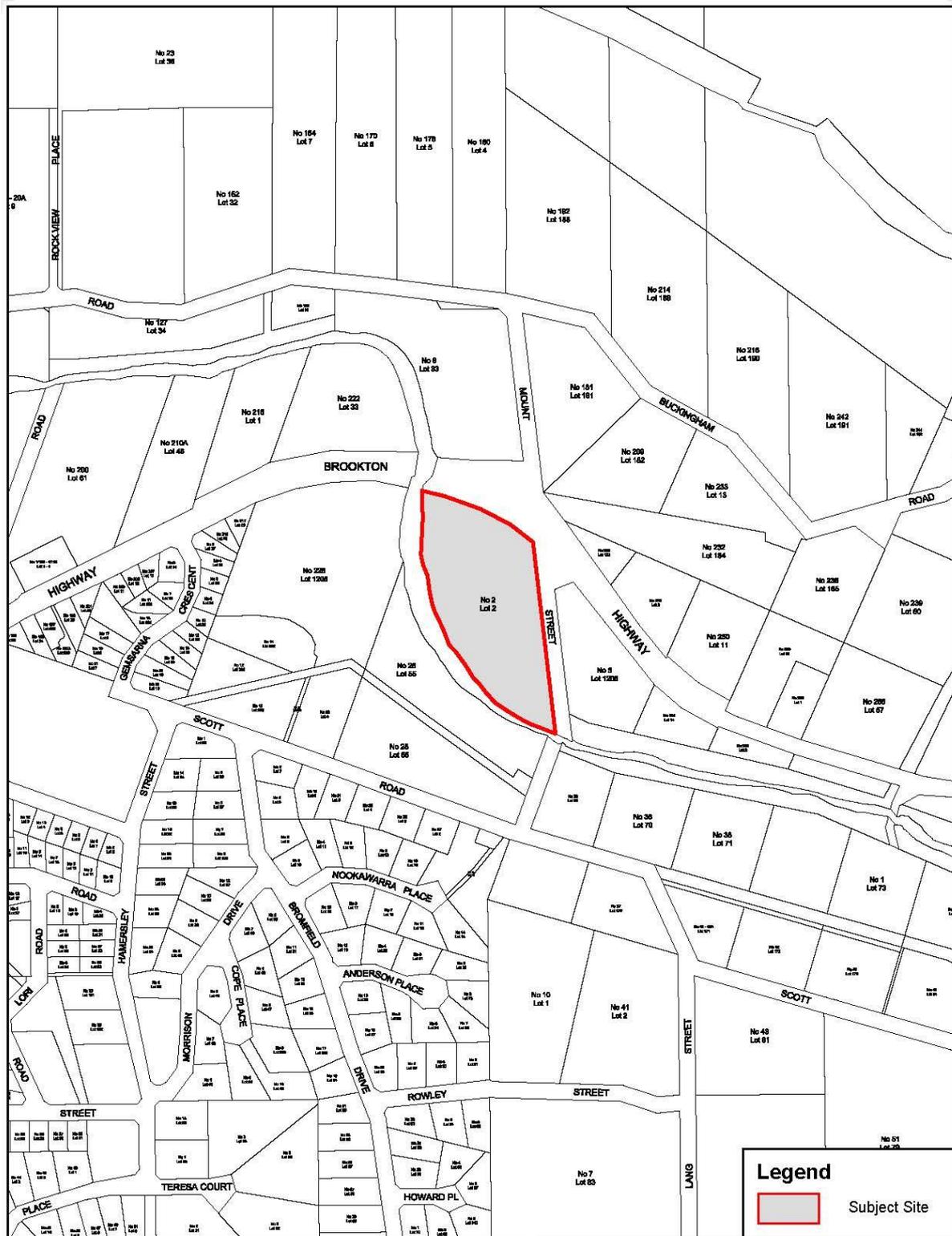
RECOMMEND

That Council:

1. **Approve the appointment of the following officer class as an “Authorised Officer” pursuant to section 96 (s100, s101, s102 and s103) of the *Building Act 2011* for the purpose of s100 Entry Powers, s101 Powers after entry for compliance purposes, s102 Obtaining information and documents, s103 Use of force and assistance, s104 Directions generally and s105 Obstruction of authorised persons to:**
 - **Building Surveyor, Joseph Campbell.**
2. **The abovementioned authorisation to remain in effect whilst the appointed person/officer is employed by the City of Armadale and shall cease when the person/officer ceases employment with the City.**

ATTACHMENTS

There are no attachments for this report.



Location Plan
Lot 2 (No. 2) Mount Street, Kelmscott



Legend

Subject Site

DATE 30 May 2017 - REVISION 1701
p:\autoCAD\agenda_drawing\2017\8 august\12287_2mounts\12287_2mounts1.dwg

Based on information provided to the City of Armadale by the Western Australian Department of Planning, Local Government, Heritage and Heritage Conservation.
Aerial photograph supplied by Landgate, Melbourne by Westmap.



2.1 - PROPOSED EXTENSION OF TRADING HOURS - RECEPTION CENTRE AND RESTAURANT (AVOCADOS) AT LOT 2, NO.2 MOUNT STREET KELMSCOTT

WARD : RIVER
FILE No. : M/332/17
APPLN NO. : 10.2017.183.1
DATE : 15 August 2017
REF : CV
RESPONSIBLE : Executive Director
MANAGER : Development Services
APPLICANT : Giuseppe Tobia
LANDOWNER : Ozhaven Pty Ltd
SUBJECT LAND : Property size 3.034ha
ZONING
MRS / : Rural
TPS No.4 : Rural Living 2 (AU
No.12)

In Brief:

- The City received an application to amend the trading hours for the existing Reception Centre/Restaurant uses from 8a.m. to 7 a.m. opening seven days per week by varying Condition 3 of the development approval dated 12/06/2014.
- The applicant also wishes to close at 10p.m. Sundays in lieu of 11p.m. as permitted by Condition 3.
- The City approved a twelve (12) month trial period for the above trading hours on 11/05/2016. The applicant is now seeking consideration for these hours in light of the outcome of the trial period.
- The application was advertised and a total of 12 submissions were received, seven objecting to the proposal, three supporting it and two submissions were comment only.
- Recommend that the Council approve the application subject to appropriate conditions.

Tabled Items

Nil.

Officer Interest Declaration

Nil.

Strategic Implications

2.3 Quality Development Outcomes

2.5.1 Implement and administer the City's Town Planning Scheme and Local Planning Strategy to deliver development outcomes.

2.3 A Strong Sense of Community Spirit

1.1.1 Provide opportunities to connect individuals to each other and the wider community.

Legislation Implications

Planning and Development Act 2005

Town Planning Scheme (TPS) No.4

Metropolitan Region Scheme

Swan and Canning Rivers Management Act 2006

Health Act 2011

Environmental Protection (Noise) Regulations 1997

Council Policy/Local Law Implications

Nil

Budget/Financial Implications

Nil

Consultation

- Western Australian Planning Commission (WAPC)
- Surrounding landowners

BACKGROUND

It is understood that Lot 2 (No.2) Mount Street (the subject site) was originally utilized for orchard production. Aerial photographs dating back to 1953 appear to support this. The City's records indicate that the premises began to be used for hospitality or entertainment purposes (primarily for weddings) under the name of 'Pavilion in the Park' (later Seraglio Park) in the early 1980s. A use of 'Private Restaurant' was approved in March 1982 under the then TPS No.1. Private Restaurant is understood to have had a meaning equivalent to Reception Centre under the present TPS No.4. Approval was granted in September 1985 for a Restaurant use.

In October 1990, Council approved a development application involving 20 Chalets, and combined Restaurant and Function Centre.

In October 1995, Council initiated Amendment No.125 to its former Town Planning Scheme No.2 (TPS No.2) to rezone the subject site from Rural 'E' to 'Special Use No.74 - Tourist Facilities'. The land use 'Function Centre' (which is equivalent to 'Reception Centre' under the current TPS No.4) was one of a number of tourist related uses that could be considered on the site subject to development approval. 'Function Centre' was classified as a permitted use and 'Restaurant' a use permitted at the discretion of Council at the time.

In November 2005, TPS No.2 was repealed and replaced by the current TPS No.4. The subject site was zoned 'Rural Living' (RL2) and Special Use No.74 was redesignated to Additional Use No.12 of Schedule 2 of TPS No.4. 'Reception Centre' is a 'P' Use (meaning the use is permitted) and 'Restaurant' is an 'A' Use.

In June 2008, Council approved an application for development approval to operate a Restaurant from the existing building on site. No restriction on the hours of operation were applied on this approval, however a condition restricting the use of any outside sound amplification was imposed.

The site was heavily damaged during the February 2011 Kelmscott/Roleystone bushfires. Given the complicated history of overlapping and partially enacted development approvals covering the site, the landowner submitted a new development application to the City in February 2012 to allow continuation of the prior Restaurant, Holiday Accommodation and Caretakers Residence uses.

The application also incorporated a new outbuilding, extensions to the Restaurant building and new car parking areas. The City approved the application in May 2012.

The City also received a development application for a change of use to Reception Centre in November 2012. The proposed capacity of the Reception Centre was proposed to be 200 patrons. The proposal was advertised for public comment. Two submissions were received, one objecting and one in support of the proposal. The applicant subsequently withdrew the application in February 2013.

The City received an application for development approval on 28 April 2014 to operate a Reception Centre with a combined capacity for 120 patrons from a portion of (and in conjunction with) the existing approved restaurant premises. Public consultation was not undertaken as part of the assessment of the proposal as it is not required by TPS No.4 and the scale of the proposal was reduced in comparison to the previous application submitted in 2012. As Reception Centre is a 'P' (permitted) land use and it was compliant with the provisions of TPS No.4. The application was approved by the City on 12 June 2014.

Current Development

The development approval is described as Reception Centre/Restaurant as the existing approved Restaurant use is incorporated into the same overall building. Condition 3 of the approval states:

3. *Operating hours shall be limited to 8:00a.m. to 11:00p.m. daily to the satisfaction of the Executive Director Development Services.*

The City received a complaint from a local resident in late 2015 that the premises were opening at 7:00a.m. for a local business group's meeting. Further inspection by the City's Planning Compliance Officer and liaison with the landowner/operator of the premises confirmed that the premises were opening at 7:00a.m. The City advised the landowner/operator to submit a development application should they wish to continue with the proposal. The applicant submitted a development application to the City on 03/02/2016. The City advertised the proposal to adjoining landowners and four submissions were received, three of objection and one of support. The main points of objection raised were in relation to noise impacts arising from the premises, although the submissions of objection did not identify specific noise issues arising between the hours of 7:00a.m. and 8:00a.m. in particular.

One submitter requested that the City wait until the Department of Racing, Gaming and Liquor had determined an application for Hotel License for the subject premises. The City undertook to respect the outcome of the License application process. The Hotel License was approved by the Department on 14/04/2016.

In an attempt to balance the limited time extension sought as part of the application with the concerns raised by some local residents the City determined to approve the application subject to a temporary trial period of twelve months. The application was approved on 10/05/2016 subject to the following conditions:

1. *In accordance with Clause 10.6 of Town Planning Scheme No.4, the approval of the 7am (seven days per week) opening time is valid for a temporary trial period of twelve months from the date of this approval, after which time, the opening time shall revert to 8a.m.*
2. *Sunday operating hours shall cease at 10p.m.*
3. *All conditions are to be complied with prior to exercising the right of this approval, to the satisfaction of the Executive Director Development Services.*

Withdrawn Development Application 10.2017.65.1 (Use of Existing Courtyard and Condition 4)

The City also received a development application on 17/02/2017 for the subject site, which encompassed the following:

- *Use of Courtyard Area*

The applicant was proposing the utilisation of an existing outdoor courtyard area by patrons of the Reception Centre/Restaurant building. The area is located in front of the north eastern side entrance to the side of building containing the Reception Centre. The area is slightly sunken below ground level and is paved. The area of the courtyard is approximately 167m². The applicant had indicated to the City that their intention for the outdoor area was to provide more flexibility for patrons, for example people who may go out into the courtyard to smoke or socialise. The overall patron capacity of the building was not proposed to change. The applicant had indicated that they want to apply for an extended liquor licence from the Department of Racing Gaming and Liquor should the use of the courtyard area be supported.

- *Request to Amend Condition 4 of Development Approval dated 12/06/2014*

The applicant has also requested that the City consider the lifting of Condition 4 of the development approval dated 12/06/2014. Condition 4 states that:

4. *No sound amplification shall take place outside the reception centre building to the satisfaction of the Executive Director Development Services.*

The applicant requested the lifting of this condition as they felt that the limitation on external sound amplification limits their ability to create a suitable outdoor atmosphere for guests of the Reception Centre and/or Restaurant. The applicant provided an updated acoustic assessment prepared by Herring Storer dated January 2017 in support of this element of the application.

The proposal was advertised to approximately sixty nearby landowners for 14 days, closing on 10/04/2017. Most recipients of the City's letter were located within 250m to 500m of the subject site. During the comment period an unknown person/s distributed flyers to properties beyond the extent of properties the City contacted directly. These properties appeared to be located between 350m to 850m from the subject site. Callers to the City who had received these flyers were directed to view the application information available on the City's website and to proceed with providing a submission by the due date of 10/04/2017 if they wished to. Several recipients of this flyer did provide submissions to the City.

One (1) submission incorporated an acoustic assessment prepared by Resonate Acoustic Consultants on the submitter's behalf. This report was also included as a submission in relation to the subject application.

Total No. of letters sent to residents/owners	60
Total No. of submissions received	37
No. of submissions of conditional support/no objection	5
No. of submissions of objection	32
No. of submissions of general advice by Service Agencies	nil

In response to the circumstance of having two acoustic assessments relating to the application the City obtained a third party review of both documents. This is discussed further in this report.

On 26/06/2017 the applicant notified the City in writing that they wished to withdraw the request to vary Condition 4 from the application (i.e. not pursue approval to the request to be allowed to have sound amplification outdoors). This left the use of the outdoor courtyard as the sole element of the development application. The applicant also provided clarification to the City that they intended the courtyard to be used only by patrons of the Reception Centre use, not the Restaurant use contained on the western side of the same building. The floor plan provided to the City as part of the application and in previous applications indicated the possibility of permeability between the two uses within the building. It was the City's understanding when the application was received that the use of the courtyard could encompass patrons of the Restaurant use as both uses were indicated as being in common across the entirety of the floor plan that was submitted to the City.

Similar to other Local Governments, there has been some debate about the interpretation of the *Planning and Development Act (Local Planning Schemes) Regulations 2015*, which exempts development associated with 'P' uses from requiring development approval. The City opposed the proposal in the Regulations, however the State Government still included the change in the Regulations.

In light of the above the City sought legal advice from its solicitors on whether an application relating solely to the Reception Centre use required development approval given that P uses do not require development approval under the State Government's *Planning and Development Act (Local Planning Schemes) Regulations 2015*. The legal advice received was that development approval was not required if there was no increase to patron numbers or no substantive works component in relation to the use of the courtyard. The courtyard works are existing and did not require approval by the City. The legal advice also stated that if patrons of the Restaurant were to use the courtyard then a development approval would be required as Restaurant is an "A" use, which requires the City's discretion for approvals.

In response to this the City's Planning Officer's undertook a site inspection to view more closely the ability to separate the Reception Centre and Restaurant uses within the same building. The site inspection showed that there were internal walls and lockable doors separating areas that could connect the respective uses. In light of this, the City requested that the applicant provide a floor plan reflecting the layout of the building relating to the operations. The City received this site plan on 12/07/2017 and provided a copy to its Solicitors for follow up advice. The City was advised by its Solicitors on 08/08/2017 that the revised floor plan indicated that the Reception Centre use can be separated from the Restaurant based on the provisos that Restaurant patrons are not to use the area and the occupancy limits to the Reception Centre are not increased.

The applicant and submitters will be notified of the withdrawal of the development application in writing accordingly.

DETAILS OF PROPOSAL

The applicant is seeking consideration of the approval of the abovementioned 7AM opening time for the Reception Centre/Restaurant premises on an indefinite basis. In addition the applicant is proposing to close at 10PM on Sundays in lieu of 11PM.

COMMENT

Public Advertising

The City referred the previous application to vary the operating hours under Condition 3 for the Reception Centre/Restaurant to the Western Australian Planning Commission (WAPC) for its comment as development on the subject site would typically require a dual determination as it abuts the management waters of the Swan River Trust (Department of Parks and Wildlife). The WAPC advised the City on 24/03/2016 that its determination was not required as it considers trading hours to be a matter to be dealt with by the City. Given the previous advice from the WAPC, it is not necessary to refer the present application to the WAPC.

Although the proposal does not incorporate an additional or extension of a discretionary land use the City opted to advertise the proposal to gauge the outcome of the trial period from May 2016 to May 2017. The City wrote to 60 nearby landowners who were provided with 14 days to make comments to the City. In response the City received 12 submissions in total, comprised of seven objections, three in support and two comments only. Submissions for the application closed on the 29/05/2017.

Total No. of letters sent to residents/owners	60
Total No. of submissions received	12
No. of submissions of conditional support/no objection	5
No. of submissions of objection	7
No. of submissions of general advice by Service Agencies	nil

The main issues raised in submissions, together with a comment on each issue are outlined below:

Key Issues

Issue 1 - The proposed operating hours are acceptable provided the applicant does not play amplified sound outside of the Reception Centre/Restaurant building and that the current conditions remain in place.

Comment

The above issue has been identified in the submissions of support for the application. The City agrees that support for the proposed operating hours is predicated on the landowner/operator complying with the terms of the development approval for the Reception Centre/Restaurant. It is also noted that the applicant's separate development application to vary Condition 4 of the development approval dated 12/06/2014 to allow amplified sound outside of the building has been withdrawn at their request. Condition 4 reads:

4. *No sound amplification shall take place outside the Reception Centre building to the satisfaction of the Executive Director Development Services*

Condition 4 of the development approval will therefore remain in place under its original terms.

A number of submissions that have objected to the proposal on the grounds of noise impacts have raised prior experiences since the inception of the current Reception Centre use in 2014 and with the earlier use of the site as a Reception Centre venue when the site was known as Seraglio Park/Pavilion in the Park. The majority of submissions raise electronically amplified sound, particularly music (either recorded or live) as the primary source of concern in relation to noise.

Health Services has advised Planning Services that no specific substantiated complaints regarding undue noise between the hours of 7a.m. and 8a.m. were received during the trial period.

While it is acknowledged that there may be a broader issue resulting from potential noise emissions from the premises, the submissions objecting to the subject application on these grounds have not demonstrated a link between the requested trading hours extension to include 7a.m. to 8a.m. and noise issues. A condition could be applied to prohibit any sound amplification between the requested hours of 7a.m. and 8a.m. that are the subject of this application.

Furthermore, the conditions applied to the Reception Centre and Restaurant uses in the previous development approvals would remain in place if the subject application was supported. An amendment to the approved trading hours would not remove the requirement of the operator/landowner to comply with any other condition of their approvals or compliance with the *Environmental Management (Noise) Regulations 1997*.

Recommendation

That the issue can be addressed via a condition.

Issue 2 - The applicant's request should not be supported as they have exhibited repeated non-compliance with the Hotel Licence approved by the Department of Racing, Gaming and Liquor.

Comment

Whilst noting the allegations from members of the public, the City received correspondence from the Department of Racing, Gaming and Liquor on 23/05/2017 advising that as a result of its investigations into the premises it has formed the opinion that the licensee is trading within their licence conditions.

The City is not responsible for administering the liquor license. The application must be considered on its Planning merits. It would not constitute a reasonable approach from the City to recommend refusal for the subject application on the grounds of non-compliance with the liquor license as it is a separate approval process and the responsible authority has advised the City that the premises are compliant.

Recommendation

That the issue is not supported.

Issue 3 - The applicant's request should not be supported as they have exhibited repeated non-compliance with the various conditions of development approval granted by the City.

The City's records indicate that eight investigations have been undertaken by Planning Compliance in relation to complaints received concerning the subject site since 2012. Three investigations relate to allegations of breaches with the conditions of the City's development approval for Reception Centre/Restaurant dated 12/06/2014. In this case the allegation was that Condition 4 of the approval was being breached as the operator of the premises was placing speakers outside the Reception Centre/Restaurant building. The City's Planning Compliance Officer visited the premises and did not witness speakers placed outside the building although they were advised by the operator that speakers had previously been located outside during an inspection by the Department of Racing, Gaming and Liquor. The operator advised the City that the speakers had not been in use. The City wrote to the operator/landowner and reminded them of their obligations to comply with the conditions of the development approval dated 12/06/2014.

The City has also received an allegation that the operator/landowner of the premises was advertising the capacity of the Reception Centre as between 30 to 200 persons in December 2015. The City wrote to the operator/landowner regarding this matter. As of August 2017 the website for Avocados currently lists the capacity for its functions as up to 100 persons. This is within the scope of the development approval dated 12/06/2014. It should be noted that although the existence of the above advertisement is acknowledged, the City has no direct evidence that the operator has breached Condition 3 of the development approval dated 12/06/2014 at any given point. It is also noted that the Occupancy Permit under the *Health Act 1911* for the premises allows 120 persons inside the Reception Centre and 91 persons in the Restaurant, which exceeds 200 persons. Nonetheless, Condition 3 of the development approval, permitting a combined maximum occupancy of 120 persons must be adhered to.

The same complaint also alleged that the premises were opening to the public for local business group meetings at 7a.m. in lieu of the approved 8a.m opening time. This was then verified to be the case. The landowner subsequently submitted a development application to the City to request that the trading hours be amended to allow 7a.m. openings. The City conditionally approved the amended trading hours for a 12 month trial period in May 2016. The results of the trial period and the application to request indefinite 7a.m. opening times are being considered in this report.

In June 2017 the City received a complaint that the operator/landowner had contravened a condition from the approval dated 12/06/2014 relating to management of vehicle parking on site. The City did not find that there was a substantive evidence to support the complaint and no further action was able to be taken.

The City also recently removed one double sided unauthorized sign erected on the verge of the adjacent Lot 1206 No.5 Mount Street in response to a complaint. The land is owned by the same landowner. It is noted that Main Roads WA had erected the signage at the request of the landowner during roadworks construction on the Brookton Highway bridge and road in 2011/2012 after the existing directional signage had been removed.

The City received a new complaint that amplified music was being played on 13/08/2017 in the afternoon and is currently investigating the matter.

Notwithstanding, the above identified non-compliances it is nonetheless the case that not all allegations made against the site have been able to be substantiated under relevant legislation and in cases where there has been either confirmation or doubt over potential non-compliances with the conditions of existing development approvals, the operator/landowner has undertaken steps to ensure compliance or to submit an appropriate application to the City to allow consideration of the matter and to obtain statutory approval.

In relation to the subject application, the City does not have substantial evidence that the operator landowner has contravened the conditions applied to the temporary approval for a twelve month trial period for the amended trading hours between 7a.m. and 8a.m. daily.

Recommendation

That the issue is supported in part.

ANALYSIS

Swan and Canning Rivers Management Act 2006

The WAPC advised the City on 24/03/2016 that its determination was not required as it considers trading hours to be a matter to be dealt with by the City. Given the previous advice received from the WAPC, the City has not referred the subject application to the WAPC for it to seek comments from the Department of Parks and Wildlife (Swan River Trust).

Town Planning Scheme No.4

The subject site is zoned Rural Living 2 under TPS No.4 and is subject to an Additional Use No.12. The zone objectives for the Rural Living zone are defined under TPS No.4 as:

- a. *To provide for a variety of rural living environments based on defined lot sizes, land form and natural environmental characteristics.*
- b. *To provide for a range of associated compatible development, consistent with the environmental opportunities and constraints applicable to individual sites.*
- c. *To ensure development is sited, designed and managed in harmony with the natural environment and so as to protect the rural landscape and amenity.*

The application does not incorporate development or a new land use. The existing uses within the building of Reception Centre and Restaurant were previously approved.

It should be noted that as the Reception Centre is a ‘P’ use under TPS No.4, therefore development approval is not required if all relevant development standards are complied with, for example car parking. This was changed by the State Government when it introduced the *Planning and Development Act (Local Planning Schemes) Regulations 2015* which allowed permitted uses to be exempt from requiring development approval. Restaurant is an ‘A’ use in a Rural Living zone under TPS No.4, however in this case the use was already approved. In this case the amended trading hours applies to a condition which encompasses the Reception Centre and Restaurant uses.

Additional Use No.12 is of direct relevance to the consideration of the proposal. Additional Use No.12 was first adopted in 1996 under the then Town Planning Scheme No.2 in order to formalise the land uses associated with the site’s long standing use as a tourist site, as follows:

	Additional Use	Conditions and Requirements
	<p>Tourist Facilities</p> <p>a) Permitted (P) Uses:</p> <ul style="list-style-type: none"> • Reception Centre • Alternative Health Centre • Caretaker's dwelling • Car Park tied to these uses <p>b) Uses permissible only with the City’s discretion (D Uses):</p> <ul style="list-style-type: none"> • Child Minding • Civic Use • Cottage Industry • Cinema/Theatre • Rural Industry • Holiday accommodation other than as permitted above 	<p>12.1 Development shall generally be in accordance with the approved Development Plan;</p> <p>12.2 Uses shall generally comply with the approved Development Plan;</p> <p>12.3 Gross site coverage of all buildings on the property in the Development Plan will not exceed 5% of the total site area unless otherwise approved by the City;</p> <p>12.4 Discretionary Uses:-</p> <ul style="list-style-type: none"> • Will have the same level of permissibility as listed in the Rural Living Zone provisions of the Development Table; • Will be determined by the City in accordance with the Rural Living Zone provisions of the Scheme except on lots created in a Strata Subdivision where the requirements for setbacks and site coverage of developments for the particular strata lot will be at the discretion of the City. <p>12.5 No vehicular access to or from Brookton Highway.</p> <p>12.6 Holiday Accommodation Chalets shall be limited to 20 Residential Chalets however,</p>

	Additional Use	Conditions and Requirements
		<p>additional Holiday Accommodation shall be an A use.</p> <p>12.7 The Alternative Health Centre shall be limited to 10-Units.</p> <p>12.8 A Rural Industry shall only be permitted incidental to packing sheds associated with an orchard (Rural Pursuit).</p> <p>12.9 In determining any planning application for development approval the City shall have regard to the compatibility of proposed uses with the existing use of the site and any additional uses, which are permissible under the Additional Use provisions.</p>

The Development Plan referred to under Additional Use No.12 is for the former Seraglio Park and dates from 1994. It has been superseded by subsequent development approvals issued since. Whilst the Development Plan is not of direct relevance to this application, the general location of the Reception Centre/Restaurant building as they are today are consistent with the Plan.

The proposal does not contravene the Conditions and Requirements outlined under Additional Use No.12.

It is not considered that the proposed change to opening hours to 7a.m. onwards is inconsistent with the manner in which other Reception Centre or Restaurant uses are operating within the Rural Living zone elsewhere in the City. A cursory survey of opening hours for similar establishments in the general localities of Kelmscott and Roleystone indicates that morning opening times are usually between 6am and 8am.

The areas to the south and west of the subject site which are zoned as Residential R5 and Residential R10/R25 respectively. A number of the submissions received by the City come from landowners within these areas.

Special Control Area No.1 – Prime Landscape Quality

The subject site is within Special Control Area No.1 – Prime Landscape Quality under TPS No.4. In accordance with TPS No.4 Council must give particular regard to the following in its consideration of the application:

- (a) *the potential impact of the proposal on the value of the resource, including its ecological and landscape values and its value as a corridor for fauna movement*
- (b) *the practicability and cost of any ameliorative measures proposed for the protection of the resource;*
- (c) *the existing level of protection of the resource provided, with reference to fencing and/or management of land and visibility of any buildings; and*
- (d) *the nature, location and performance of any existing or proposed effluent disposal system.*

The proposal has no impact upon the physical setting of the site and as such it is considered to comply with the objectives of the Special Control Area No.1.

Acoustic Assessments

One of the submissions received by the City included an acoustic assessment prepared at the commission of the submitter. The assessment was prepared by Resonate Acoustics and is dated April 2017. The assessment was also provided as a submission in response to the earlier application to vary condition 4 of the development approval dated 12/06/2014 which proposed requesting allowing amplified music outside the building. This application has since been withdrawn. The submitter's assessment was prepared to refute the findings of the applicant's acoustic assessment prepared by Herring Storer dated January 2017. As such it does not reflect the same scope as that conveyed by Herring Storer in their document as it addresses the conclusions of the Herring Storer assessment and the impact of existing areas in use.

The applicant has subsequently requested that their separate proposal to amend Condition 4 of the development approval dated 12/06/2017 be withdrawn. This renders the purpose of the Herring Storer assessment redundant. Given the presence of the Resonate assessment as a submission in relation to the subject application a discussion of the two assessments is outlined below. Given the unusual circumstance of receiving an acoustic report from an applicant and another from a separate third party, at the City's cost the City commissioned a peer review of both assessments by Lloyd George Acoustics.

The key conclusions of the Resonate assessment are:

- *An environmental noise impact assessment has been conducted for both internal (85 dB(A) and external licensed areas at Avocados Restaurant Kelmscott.*
 - *An acoustic model has been developed using published empirical noise source data and which also uses 3D sound propagation modelling. It is therefore more precise than that used in a previous assessment (Herring Storer, January 2017) and considers the effect of both the existing licensed area and the proposed northern courtyard.*
 - *The RA assessment has found that current restrictions on the number of patrons, opening hours and background music level is insufficient to comply with the Environmental Protection (Noise Regulations) 1997.*
 - *The applicant has not addressed all the necessary control measures which would be needed for this function area (the courtyard).*
 - *It is our considered opinion, based on conservative estimates, and detailed modelling, that the application as presented does not comply with the noise emission criteria.*

The Resonate report also contains some key assumptions of note:

- It estimates the capacity of the courtyard to be 40 persons and the existing outdoor licensed area adjacent to the Canning River to be 120 persons,
- The consumption of alcohol will increase patron noise, although not to a calculated extent, and
- An additional 10 dB penalty is applied for ambient level amplified music played outdoors.

In contrast the applicant's acoustic assessment was a revision of an earlier assessment provided in support of the Reception Centre application in 2012 and has been prepared by Herring Storer Acoustics dated January 2017. The assessment has been prepared in support of a specific (now withdrawn) application and the scope of the assessment and its conclusions reflects this. The summary of the conclusions of the Herring Storer assessment is as follows:

- *Noise level emissions associated with the venue have been calculated to comply with the Environmental Protection (Noise) Regulations 2017 at neighbouring premises at all times, provided the following measures are implemented:*
 - *Amplified music levels to be restricted to 85 dB (A) throughout the function room and restaurant.*
 - *External doors to the function room to remain closed during the use of the function room (whilst music is playing at a higher level than background/ambient music noise levels).*
 - *The external doors (for smoking area access) to have self-closers installed and management to ensure these doors are not propped open during functions.*
 - *Music within external areas to be restricted to background music only (i.e. patron noise to be louder).*

Health Services Comment

The City's Health Services section has reviewed both acoustic assessments and has advised that both reflect generally acceptable methodology, although the assessment prepared by Resonate Acoustics is more conservative in its approach. Both reflect assumptions that cannot be absolutely verified as fact in the absence of third party monitoring.

Peer Review of Acoustic Assessments

The City commissioned a peer review of both assessments. The review was prepared by Lloyd George Acoustics (dated June 2017) and has made the following key comments on the acoustic assessments:

- The reports are coming from different angles. The Herring Storer assessment primarily addresses the scope of the application. It does not therefore address the potential noise from the existing southern outdoor patron area adjacent to the Canning River. The Resonate assessment is considering the premises more broadly.
- The prediction methodology used by both consultants is reasonable; however the assumed noise level from patrons is contentious.

- There is a potential argument that noise from the existing southern outdoor areas may not achieve compliance with the regulations during a large event. Taking measurements of this area during a large event may provide more clarity on the accuracy of the modelling.
- Lloyd George Acoustics does not agree with the automatic addition of a 10dB penalty for music as applied within the Resonate Acoustics assessment.

Based on the above it is reasonable for the City to conclude that the proposed use of the courtyard is capable of complying with the *Environmental Protection (Noise) Regulations 1997*. Although the peer review concludes that there could be grounds for doubt on the compliance of the existing patron area this is not part of the subject application and the use of the area is approved and longstanding. Modelling would need to be undertaken to determine this issue further.

Nonetheless the history of noise complaints in relation to the premises and the conclusions of the assessments are noted as they may indicate a broader issue. The appropriate form of managing any further complaints regarding noise in the future is that noise monitoring using receivers is undertaken by the operator and complainants in conjunction with the City's Health Services. The City cannot compel the respective parties to participate in such monitoring and will require their cooperation in order to obtain reliable data. The City could also undertake noise monitoring with its meters located at specific properties, which has occurred.

In light of the absence of the complaints relating to the operation of the premises between the hours of 7a.m. and 8a.m. and the withdrawal of the application to amend Condition 4 in order to play amplified sound outdoors it is not considered that the respective acoustic assessments are of relevance to the subject application, particularly if a condition is applied to prevent amplified sound being played between the requested additional hours of 7a.m. to 8a.m.

OPTIONS

1. Council may conditionally approve the proposal without conditions.
2. Council may approve the proposal with conditions.
3. Council may resolve to not support the application and provide reasons for its decision.

CONCLUSION

The assessment of the application and analysis of the submissions received during the public comment period indicates a high level of local public interest in the site. There is a prevalence of opposition amongst respondents to the proposal to vary Condition 3 of the development approval dated 12/06/2014 to amend the trading hours to 7a.m from 8a.m onwards. The City previously granted a temporary approval for a twelve month trial period for these hours from May 2016 to May 2017.

The issues raised in submissions objecting to the proposal relate to complaints that the subject premises have a history of non-compliance with development approvals, particularly in relation to noise and the liquor licence issued by the Department of Racing Gaming and Liquor. While the City has received complaints regarding compliance with development approval conditions, not all of these have been able to be substantiated and in the cases that have, the operator/landowner has complied with the directives of the City. In relation to the liquor license, the Department has advised the City that it considers the licensee to be compliant with the terms of their licence.

There is a basis to suggest that noise arising from the premises is an ongoing issue which is why a discussion of the topic, including acoustic assessments, has been included in this report. It is considered that noise level monitoring should be undertaken by the City with the cooperation of local residents and the operator/landowner. Nonetheless, there is no substantial evidence in the City's records or in the submissions provided to the City of instances where noise complaints have arisen during the applicant's trial period for the above opening hours from 7a.m. to 8a.m. In light of this it is considered that the applicant has successfully demonstrated that they can operate from the earlier start time of 7a.m. without significantly disturbing the amenity of the surrounding locality between 7a.m. and 8a.m. Accordingly, the application is recommended for approval, subject to conditions in accordance with option 2 above.

RECOMMEND

That Council:

A) Approves the application for Development Approval for amended trading hours to include opening from 7a.m. to 8a.m. Monday to Sunday on Lot 2, No.2 Mount Street Kelmscott subject to the following conditions:

- 1. The Reception Centre and Restaurant uses may open from 7a.m. seven days per week.**
- 2. No sound amplification shall take place outdoors between the hours of 7a.m. and 8a.m.**
- 3. Sunday opening hours shall cease at 10p.m.**
- 4. All conditions are to be complied with prior to exercising the right of this approval, to the satisfaction of the Executive Director Development Services.**

ADVICE TO APPLICANTS:

- A. All other conditions of the development approval dated 12/06/2014 remain in effect.**
- B. All noise emitted from the premises must comply with the requirements of the Environmental Protection (Noise) Regulations 1997. This includes noise volumes as measured at receiving premises.**
- C. The applicant and landowner are advised that it is a statutory requirement to comply with all conditions of this approval, and that not complying with any condition is therefore illegal. Failure to comply with any condition of this approval or the approved plans constitutes an offence under the Planning**

Development Act 2005. The City can issue a Planning Infringement Notice of \$500 (without notice) and/or commence legal action with higher penalties up to \$200,000 for each offence and a daily penalty of \$25,000 per day for the continuation of that offence. It is the responsibility of the applicant and/or landowner to inform Council in writing when they consider the development to be complete and all conditions of this approval have been satisfied.

- D. If the applicant is aggrieved by a Refusal to Approve his/her application, or, where Approved, is aggrieved by any Condition imposed in that Approval he/she may apply for a Review to the State Administrative Tribunal pursuant to the provisions of Part 14 of the Planning and Development Act 2005 against such refusal or imposition of such aggrieved Condition.**

Such application for Review must be made not more than twenty eight (28) days after the date of Council's decision via the form available from the State Administrative Tribunal (copies available from the State Administrative Tribunal, Level 4, 12 St Georges Terrace, Perth or GPO Box U1991, Perth, WA, 6845, or www.sat.justice.wa.gov.au or from Council's offices), and should be accompanied by the relevant fee detailed in Schedule 18 of the State Administrative Tribunal Regulations 2004).

- E. If the development the subject of this approval is not substantially commenced within a period of 24 months from the date of this letter, the approval shall lapse and be of no further effect.**

- B) Advise the submitters of the Council decision in this regard.**

ATTACHMENTS

1. CONFIDENTIAL Submitter Plan - Lot 2 Mount St, Kelmscott - *This matter is considered to be confidential under Section 5.23(2) (b) of the Local Government Act, as it deals with the matter relating to the personal affairs of a person/s.*



LOCATION PLAN
Lot 969 Seventh Road, Armadale



SCALE 1 : 7500

DATE 29 May 2017 - REVISION 1701
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Based on information provided to and with the permission of the
Western Australian Land Information Authority (LIDAR) 2016/03/23.
Aerial photograph supplied by Landgate, Melbourne by Westpac.



2.2 - PROPOSED TELECOMMUNICATIONS INFRASTRUCTURE - GWYNNE PARK - LOT 969 (90) SEVENTH ROAD ARMADALE

WARD : MINNAWARRA

FILE No. : - M/464/17

APPLN NO. : 10.2016.322.1

DATE : 14 August 2017

REF : CV/PS

RESPONSIBLE MANAGER : Executive Director
Development Services

APPLICANT : Planning Solutions (on
behalf of Optus)

LANDOWNER : Crown Reserve vested in
the City of Armadale

SUBJECT LAND : Property size 7.9 ha

ZONING
MRS / : Urban
TPS No.4 : Parks and Recreation
Local Reserve

Tabled Items

Nil.

Officer Interest Declaration

Nil.

Strategic Implications

- 2.3 Diverse and attractive development that is integrated with the distinctive character of the City.
- 2.3.1 Provide supportive planning and development guidance and liaison on major land developments
- 2.4 Attractive and user-friendly streetscapes and open spaces
- 2.4.1 Implement townscape, streetscape and parkland improvements to enhance the distinctive character of the City.

In Brief:

- The City received an application for a telecommunications tower and associated infrastructure development to be located at Lot 29 Townley Street Armadale on 02/09/2016. Lot 29 is zoned Local Centre/ Residential R15/25. Telecommunications Infrastructure is an 'A' use under this zoning in accordance with Town Planning Scheme No.4.
- The application was refused by the City on 24/11/2014.
- The applicant lodged a review against the City's decision to refuse the application with the State Administrative Tribunal (SAT). A Directions Hearing was held on 24/03/2017.
- Following SAT mediation discussions between the City and the applicant have identified a potential alternative site at Gwynne Park.
- The applicant has proposed a 31m telecommunications tower pole located between the existing cricket nets.
- Council considered the matter at its meeting of 20/06/2017 and resolved to support the initiation of public advertising.
- The proposal was advertised to the public for 28 days (from 10/07/2017 ending on 09/08/2017) by way of letters to nearby landowners and the proposal being made available for comment on the City's website. 21 Submissions were received, with 11 support/comment and 10 objections.
- Council is now asked to consider whether it will support lodgement of the application for Planning approval and initiating the process to negotiate lease arrangements for the proposal.



AERIAL PLAN
Lot 969 Seventh Road, Armadale



SCALE 1 : 5000

DATE 10 January 2017 - REVISION 1701
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Based on information provided by and with the permission of the
Western Australian Land Information Authority trading as Landgate (2012).
Aerial photograph supplied by Landgate. Photograph by TerraMap.



Legislation Implications

Planning and Development Act 2005
Town Planning Scheme (TPS) No. 4
Local Planning Strategy 2016
Metropolitan Region Scheme
State Planning Policy 5.2 - Telecommunications Infrastructure
Local Government Act 1995

Council Policy/Local Law Implications

Nil.

Budget/Financial Implications

The applicant would be required to enter into a lease arrangement with the City and possibly the State Government to utilise the reserve. This is discussed in further detail in this report.

Consultation

The City has written directly to 299 landowners within the vicinity of Gwynne Park. A description of the proposal and a copy of the plans were also placed on the City's Public Comment and Notices webpage.

BACKGROUND

The applicant originally submitted a development application to the City on 02/09/2016 for a Telecommunications Infrastructure land use. The proposal comprised a 26m tall monopole tower and associated fixtures located to the rear of the existing Convenience Store at Lot 29, No.3-5 Townley Street Armadale. The zoning of this site is Local Centre/Residential R15/25 under TPS No.4, however the land is located within a predominately residential context.

As Telecommunications Infrastructure is an 'A' use within the Local Centre zone, the City undertook consultation by writing to all landowners within a 500m radius of the subject site. 21 submissions were received, including six submissions that were in support of the proposal and 15 submissions were opposed to the proposal. The principal reasons for opposing the application were on the grounds of negative visual impact, health impacts and property devaluation.

The City refused the application on 24/11/2016 after which the applicant lodged a review under the *Planning and Development Act 2005* to the State Administrative Tribunal (SAT) on 20/12/2016. At the Directions Hearing on 23/03/2017, the SAT directed the parties to undertake mediation to attempt to resolve the issue rather than progress immediately to a formal hearing. It was agreed that the consideration of the appeal could be deferred until 17/06/2017 in order to allow the applicant and the City to liaise with regard to identifying alternative sites in the locality for the Telecommunications Infrastructure use. A number of site inspections have been undertaken with the City and the applicant to consider various options, including five locations within Gwynne Park and three other reserves nearby. There are no other commercial zoned sites (e.g. Local Centre, District Centre) within the applicant's coverage area.

Following a review of the area the City was able to advise that the majority of locations (mainly small public open space areas) were not suitable for a telecommunications tower given the proximity of school sites and there were no other industrial or commercial zoned sites within the required area, which are often preferred. Therefore, Gwynne Park given its size was the most appropriate alternative location to consider.

A number of sites across Gwynne Park were evaluated by the applicant and officers from Development Services, Parks Services and Community Services, which narrowed the options to two locations in Gwynne Park. Further site meetings were undertaken and the most appropriate location identified in Gwynne Park was between the existing cricket nets, which are a safe distance from the playing surfaces or any future changes. This site was selected as it would not have any impacts upon future Master Planning proposals for the park or the current lighting upgrades. The preferred location does not involve the removal of any trees and the existing trees could assist in reducing the visual impact for residential properties.

Some minor pruning of nearby trees may be required in order to facilitate the proposed development. Such works are only likely to be requested if the height of the telecommunications tower is reduced. Parks Services have also advised that if the proposal is ultimately approved then a condition requiring the applicant to satisfactorily install a hardstand and fence around the infrastructure would be necessary. The fence will be between the existing sets of cricket nets.

The proposal was considered at the Ordinary Meeting of Council on 26/06/2017 where Council resolved to:

1. Advertise the proposed Telecommunications Infrastructure and the excision and/or lease of a portion of Reserve Lot 969, No.90 Townley Street Armadale for a period of 28 days.
2. Note that a report will be prepared on the outcome of the submission period for Council's consideration.

A copy of the report (D25/6/17) is included in the Attachments.

DETAILS OF PROPOSAL

The proposal for the alternative Gwynne Park site is comprised of the following elements:

- A 31.3m telecommunications tower pole located in the south eastern corner of Lot 969 Gwynne Park, situated between the existing cricket nets. The monopole is not proposed to incorporate a head frame. The antennas are proposed to be flush mounted to the pole instead. Additional small scale equipment boxes will be located at ground level locations suitable for the City. The tower is proposed to be located approximately 20m from the Townley Street boundary.

Following advertising of the above in accordance with the Council resolution of 26/06/2017 Council is now asked to consider the submissions received during the advertising period, to determine whether the City should permit the lodgement of a development application.

COMMENT

Public Advertising

The application was advertised for 28 days from 10/07/2017, closing on 08/08/2017. Advertising was carried out by way of letters to affected and nearby landowners.

Total No. of letters sent to residents/owners	:	299
Total No. of submissions received	:	21
No. of submissions of conditional support/no objection	:	11
No. of submissions of objection	:	10
No. of submissions of general advice by Service Agencies	:	nil

The main issues raised in submissions, together with a comment on each issue are outlined below. A summary of each of the submissions is included in the Confidential Attachments.

Key Issues

Issue 1 - Several submissions raises comments, queries or concerns in relation to the location of the mobile phone tower and how it may impact of future redevelopment options and recreational use.

Comment

The previous report to Council on this proposal considered these issues and officers have explored a number of locations in Gwynne Park to minimise any potential impacts of the mobile phone tower and related infrastructure on future master planning and community and recreational uses. The location of the tower between the unused area between the cricket nets does not impact on any users and is unlikely to be able to be used for any other purpose.

The City has prepared a Master Plan for Gwynne Park, which was advertised for public comment and then adopted by Council at its meeting on 13/06/2016. The Gwynne Park Master Plan includes a Short to Medium Term (5-15 year period) and a Medium to Long Term (15 or more years), which are included in the attachments. The Master Plan defines the strategic direction for the sporting and community complex, however the presence of other infrastructure, such as telecommunication towers, were not considered as part of this process as the focus was on community and sporting facilities and infrastructure. Notwithstanding this it is not considered that the proposed Telecommunications infrastructure will inhibit the ability of the City to implement the overall objectives of the Master Plan.

The Community Services Department has advised that it concurs with the view of Parks Services in relation to the proposed Telecommunications Infrastructure use within Gwynne Park.

Recommendation

That the issue is not supported.

Issue 2 - The proposed tower should be relocated elsewhere in Gwynne Park that is further away from dwellings, for example near the pavilion building.

Comment

Relocating the proposed tower to a more central location within Gwynne Park could potentially conflict with the objectives of the Gwynne Park Master Plan which was adopted by Council in June 2016. The central area is where the bulk of the buildings and recreational infrastructure is located. While the rationale that the central area of Gwynne Park is located further from the adjacent residential zones is acknowledged, Gwynne Park is nonetheless a significant asset for the broader community and placing the telecommunications tower in this area may inhibit the implementation of the Master Plan's objectives. Additionally, the subject location has been identified with the advice of the City's Planning Services, Parks Services and Community Services as being the most suitable in Gwynne Park.

Recommendation

That the issue is not supported.

Issue 3 - The proposed tower should be relocated elsewhere in the City. For example, on the vacant land opposite the Armadale Fire Station or in a commercial zone.

Comment

The above land in question is not owned by or vested in the City. The land is also located under the area controlled by the Metropolitan Redevelopment Authority (MRA) which is not party to the SAT mediation process. The location constraints were discussed in the previous report and background section of this report. Officers consider the proposed location to be most suitable with the operator's locational catchment that is required.

Recommendation

That the issue is not supported.

Issue 4 - The installation of the proposed telecommunications tower would result in a negative visual impact upon the locality.

Comment

It is acknowledged that the proposed telecommunications tower would be higher than any adjacent structures within Gwynne Park or the surrounding area. The most comparable structures are lighting and power poles in and around the park area. There are mature trees in the park which are likely to be 15m to 30m in height. The proposed tower would present a narrow profile and does not contain a bulky headframe structure unlike other telecommunications towers that have been installed elsewhere in the City. Whilst tall, the proposed tower is unlikely to provide an impression of bulk as viewed from the general locality. The presence of mature trees provides a more effective visual screen from the street than the previous proposal location which was unscreened and located on a prominent intersection. For these reasons it is considered that the proposed tower is not likely to result in an undue impact upon the visual amenity of Gwynne Park or the surrounding locality.

Recommendation

That the issue is not supported.

Issue 5 - The proposed telecommunications tower would pose a safety risk in high winds and attract dangerous behavior or vandalism.

Comment

Any tower would require structural certification and approval prior to installation. Whilst the potential for extreme weather events to cause damage to the tower is present this is true of any structure in any location.

The City has no evidence to suggest an intrinsic connection between the presence of telecommunications infrastructure and dangerous behavior or vandalism.

Recommendation

That the issue is not supported.

Issue 6 - Emissions from the proposed telecommunications tower would have a detrimental impact upon the health of local residents.

Comment

This issue is discussed in Western Australian Planning Commission's (WAPC) State Planning Policy 5.2 and a factsheet produced by the Australian Radiation Protection and Nuclear Safety Agency (ARPANSA). The factsheet states "*based on current research there are no established health effects that can be attributed to the low RF EME exposure from mobile phone base station antennas*".

Recommendation

That the issue is not supported. It is also recommended that submitters are provided with a copy of the ARPANSA factsheet for their information.

Issue 7 - Negative impact on property prices.

Comment

The argument of property devaluation is not a relevant planning consideration when determining a development application. No evidence has been submitted to substantiate the concern, given the proposed location. Related amenity issues have been dealt with in the discussion above.

Recommendation

The issue is not supported.

Issue 8 – The proposed tower will improve telecommunications infrastructure in the local area.

Comment

The applicant has identified the following localities where network coverage may be improved by the proposed telecommunications tower:

1. Armadale, surrounding Gwynne Park.
2. Eastern portion of Haynes.
3. Eastern portion of Hilbert.
4. Northern portion of Brookdale.

Although telecommunications infrastructure is generally developed by the private sector it does facilitate services that are of broader benefit to the community. It is noted that the provider responsible for the application is Optus. As such it is likely that its customers would receive improved services in the above localities.

Recommendation

The issue is supported in part.

ANALYSIS

The proposal has been advertised extensively for public comment to determine whether the Council should approve the location of the telecommunications tower on land it manages within Gwynne Park. Should the Council support the proposal as recommended, then a development application form will be signed by the Chief Executive Officer and the application will be determined under delegated authority as per Council's decision. The City's TPS No.4 does not require the advertising of the development application, therefore an extensive advertising process was included in the current process to ensure the community was appropriately consulted. A condition would be applied to the approval to require a lease to be entered into prior to any works occurring on site. The lease will require the approval of Council.

Heritage

Gwynne Park is included as a Category C listing in the City's Municipal Heritage Inventory 2008 (MHI). The MHI identifies the place as having the following local heritage values:

- **Aesthetic Value:** The place is an attractive urban park characterised by large expanses of lawn edged with mature eucalypt trees.
- **Historic Value:** The place is associated with the Gwynne family, early residents of the area.
- **Social Value:** The place is valued by the community as a public park and as a venue for sporting and social events.

For the proposal to be considered, the location of the telecommunications tower should not result in a significant impact that detracts from the above heritage values. The proposal itself would not result in the removal of existing recreation infrastructure or trees, and the proposal will not impact upon use of the Reserve. In particular, the cricket nets may continue to be used without significant disruption.

The proposal was forwarded to the City Heritage Advisory Group (CHAG) for comment. The City received two written submissions from individual members of CHAG raising a few comments and concerns regarding the location of the mobile phone tower and how it may impact on future redevelopment options and recreational use. These submissions were received prior to the CHAG meeting on 27/07/2017. These matters are discussed in the Submission Issues section of the report. The proposal was also discussed at the CHAG meeting on 27/07/2017 and officers provided a more detailed briefing of the previous development application, SAT mediation, site selection process, advertising process and Master Plans for Gwynne Park. No objection was raised by CHAG at its meeting.

OPTIONS

Council could:

1. Support the proposal for Telecommunications Infrastructure at Lot 96, 90 Seventh Road, Armadale (Gwynne Park) subject to appropriate conditions.
2. Refuse the proposal for Telecommunications Infrastructure at Lot 96, 90 Seventh Road, Armadale (Gwynne Park) and state the reasons for doing so.

CONCLUSION

The proposed Telecommunications Infrastructure development will provide improved telecommunications services to the local community and will be located in a position that provides the least impact upon the functions of the Gwynne Park reserve. While the height of the structure is acknowledged, the identified location is the least obtrusive available and will have significantly less impact upon the amenity of the locality than the original proposed location at Lot 29, No.3-5 Townley Street Armadale.

The use can be considered for approval under TPS4 and the proposal satisfies the objectives of the WAPC's SPP 5.2. Option 1 is recommended.

RECOMMEND

That Council:

1. **Support the proposed mobile phone tower located at Gwynne Park, subject to a further report being considered for the proposed terms of the lease for Council's consideration in-accordance with Local Government Act.**
2. **Authorise the Chief Executive Officer to sign a development application for the proposal.**
3. **Advise the Submitters of the Council's decision in this regard.**

ATTACHMENTS

1. [↓](#) Site Photograph - Lot 969 Seventh Rd, Armadale
2. [↓](#) Copy of Previous Council Report - Lot 969 Seventh Rd Armadale
3. [↓](#) Site Elevation Plan - Lot 969 Seventh Rd, Armadale
4. [↓](#) Site Layout Plan - Lot 969 Seventh Rd, Armadale
5. [↓](#) Overall Site Plan - Lot 969 Seventh Rd, Armadale
6. [↓](#) Site Specifications - Lot 969 Seventh Rd, Armadale
7. CONFIDENTIAL - Submitter Plan - Lot 969 Seventh Rd, Armadale - *This matter is considered to be confidential under Section 5.23(2) (b) of the Local Government Act, as it deals with the matter relating to the personal affairs of a person/s.*

**3.1 - PUBLIC OPEN SPACE STRATEGY (PRECINCT F) - EXPENDITURE
PROPOSAL - KELMSCOTT**

WARD : LAKE & RIVER
FILE No. : M/351/17
DATE : 15 August 2017
REF : SW/PS
RESPONSIBLE : Executive Director
MANAGER : Development Services

In Brief:

- A total of six (6) properties in Precinct 'F' of the City's POS Strategy have been sold as per the recommendations of that strategy.
- The net available funds from POS Strategy land sales in Precinct 'F' is \$704,307 (including interest to date).
- A Councillor Workshop was held on the 21st of February 2017 to discuss and suggest modifications to the draft concept plans to upgrade five (5) reserves in Precinct 'F'.
- Recommend that Council endorse capital works for reserve upgrades in Precinct 'F' and request the Minister for Planning approve the expenditure of POS CIL funds in Precinct 'F'.

Tabled Items

Nil.

Officer Interest Declaration

Nil.

Strategic Implications

- 1.2.3.2 Activate local spaces to improve local safety
- 2.1.1.2 Deliver habitat/fauna sanctuary projects in natural areas
- 2.2.1.1 Deliver new and upgraded facilities that are multi-purpose where appropriate
- 2.5.1.3 Deliver key strategic planning projects and strategies

Legislation Implications

Planning and Development Act, 2005
Crown Land Administration and Registration Practice Manual
Local Government Act, 1995 - Section 3.58 Disposal of Land
Local Government Act, 1995 - Section 3.59 Commercial Enterprises by Local Government
Local Government (Functions and General) Regulations, 1996
Land Administration Act, 1997

Council Policy/Local Law Implications

Public Open Space Strategy, 2000
Parks and Facilities Strategy 2013

Budget/Financial Implications

Precinct 'F' is the eighth precinct in the POS Strategy to have funds available to spend on upgrading existing reserves. The majority of funds have been derived from the sale of six properties, which were recommended to be sold by the City's Public Open Space Strategy (POS Strategy). This includes:

- Lot 219 Haimlee Street, Kelmscott;
- Lot 203 Buckingham Road, Kelmscott;
- Lot 210 Arbuthnot Street, Kelmscott;
- Lots 11 & 12 Weston Terrace, Kelmscott; and
- Lot 209 Boondi Place, Kelmscott.

A portion of the funds have previously been allocated by Council for the Frye Park redevelopment that was completed. As at June 2017 the total available POS Strategy land sale funds are \$704,307 (including interest). Public Open Space Cash-in-Lieu (POS CIL) funds derived from subdivision has also contributed to fund availability in Precinct 'F'. As at June 2017 the total available POS CIL funds are \$2,200 (including interest) from a subdivision adjoining Frye Park.

Available funds from the POS Strategy land sales reflect 70% of the sale proceeds. 30% of the net funds have been invested into the City's Capital Recreation Projects (Regional Recreation Initiatives), as per Council's resolution on 17 July 2006 (CS75/7/06) and Ministerial Approval 12 June 2008.

Consultation

- Corporate Services Directorate;
- Public Open Space Working Group;
- Department of Lands (formerly Department of Regional Development and Lands, State Land Services);
- Public consultation consistent with State Government Guidelines for the administration of Section 20A Reserves;
- Public consultation has occurred on the rezoning of each of the lots as part of the introduction of Town Planning Scheme No.4, gazetted in 2005;
- Public consultation consistent with Section 3.59 of the Local Government Act, 1995;
- Councillor Workshop 21st February 2017.

BACKGROUND

Background to the POS Strategy

The overarching purpose of the City's POS Strategy since 1999 has been to establish a "*strategic approach to Public Open Space rationalization.... as a matter of high priority*" (D253/99). The City has implemented the POS Strategy in a staged manner since 1999 and has progressed a number of land administration and planning processes to enable surplus Public Open Space to be sold. These processes include reserve cancellation, purchase of the former reserves from the Crown, rezoning, implementation of business plans and resolving site issues to enable the land to be sold in accordance with the *Local Government Act, 1995*.

Precinct 'F'

Precinct F is generally east of Albany Highway, north of Brookton Highway, south of the Municipal boundary and west of Canning Mills Road (see Attachments). The gross precinct land area is approximately 1045 hectares.

Master Plans

Two masterplans have been endorsed by Council for reserves within Precinct F:

- Frye Park Masterplan - 11 July 2016 (C25/7/16);
- Rushton Park Masterplan - 9 September 2013 (C31/9/13).

Those masterplans are included in the Attachments.

Important Milestones / Decisions by Council

- 17.3.2003 - Council resolved to undertake public consultation for proposals to accept the vesting of certain reserves in Precinct F and dispose of others;
- 19.1.2004 - Following the abovementioned public consultation, Council resolved to accept the vesting of certain reserves in Precinct F and cancel, rezone and sell others;
- 27.1.2009 - Council adopted Business Plans for the sale of Lot 203 Buckingham Road, Lot 210 Arbuthnot Street and Lot 219 Haimlee Street, Kelmscott;
- 25.1.2010 - Council adopted a Business Plan for the sale of Lot 209 Boondi Place, Kelmscott;
- 20.12.2010 - Council adopted a Business Plan for the sale of Lot 2259 Weston Terrace, Kelmscott.

DETAILS OF PROPOSAL

The Public Open Space Working Group's (POSWG) draft concept plans and schedule of works were presented for discussion and modification by Councillors at a Workshop on 21st February 2017. The five (5) parks proposed to be improved, were discussed with several modifications proposed by Councillors at this Workshop. The proposal has been modified consistent with the outcomes of the Workshop.

The proposals have been ranked in order of priority. Funds are now available for expenditure, however the City's Parks Services have a scheduled works program to implement park upgrades, as well as annual maintenance programs across the whole of the City. Therefore it is proposed construction works for Precinct F will commence in 2018/19 financial year and occur in a staged manner over several years.

There are five (5) parks within Precinct F that have been selected for reserve improvements at a total estimated cost of \$707,000, as described in detail below.

COMMENT

Expenditure of POS Strategy Funds

The State Government's Crown Land Administration and Registration Practice Manual outlines how funds from the sale of former reserves are able to be spent. Proceeds from the sale of former reserves must be used to either purchase replacement land of equal area and suitable for public recreation purposes, or spent on capital improvements to recreation land in the vicinity of the land sold. Additional to these requirements, reserve upgrades are to be unrestricted to the public. Council has established appropriate Trust accounts to meet this requirement and expenditure of funds has been considered on a Precinct basis as agreed with the Department of Lands.

In addition to the above, the City was granted permission to spend 30% of the funds from POS Strategy land sale funds and POS CIL funds on Capital Recreation Projects (Regional Recreation Initiatives). This is in accordance with Council's resolution at its meeting of 17 July 2006 (CS75/7/06). The 30% deduction from POS Strategy land sale funds and POS CIL funds have been transferred to the appropriate Trust.

ANALYSIS

Draft concept proposals were formulated by the City's Public Open Space Working Group (POSWG) after all land sales had been finalised in this POS Strategy Precinct. The principles that guided the POSWG in developing the concept proposals include:

- Parks to be completed in their entirety, where possible;
- Improvements to be readily visible;
- Upgrades to have regard for other Council Strategies (i.e. Masterplans, Parks and Facilities Strategy; Playground Strategy; Local Biodiversity Strategy and the Council endorsed Ecological Community Management Plans);
- Access, safety and crime prevention principles are to be included;
- Improvements must be sustainable; and
- Improvements to match the characteristics of the area.

A Councillor Workshop was held on 21st February 2017 with the aim to provide Councillors with an opportunity to review the draft concept plans and cost estimates prior to this expenditure report being presented at a meeting of Council. Some modifications were proposed by Councillors at this workshop and the majority of those changes have been incorporated into the amended concept plans. A brief summary of the proposed upgrades to each of the reserves is listed in the table below. The parks have been prioritised.

Precinct F Funding Proposals			
No.	Name	Component	Cost
1.	Frye Park	Preliminaries, Demolition, Site Preparation, Playground, Rubber Softfall, 12+ Play Space, Hardworks, Softworks, Consolidation.	\$367,000
2.	Rushton Park	Preliminaries, Site Preparation, hardworks, soft works, Consolidation,	\$140,000

Precinct F Funding Proposals			
No.	Name	Component	Cost
3.	Canning River Walk Trail	Preliminaries, Site Preparation, Hardworks, Softworks, Fire Management Plan for Revegetation,	\$85,000
4.	Lloyd Hughes Park	Site Preparation: weeding, dieback, Hardworks: fencing, signage, gates, limestone access tracks, Softworks: revegetation,	\$80,000
5.	Goolamrup Reserve	Site Preparation: weeding, dieback interpretation report, hard works: fencing, signage, gates, limestone access tracks, Soft works: revegetation, Contingency.	\$35,000
		Total -	\$707,000

Frye Park

Summary Description of Existing Park

- The park is bounded on three sides by roads, being Connell Avenue, Lucich Street and Clifton Street. The interface on the northern boundary is a combination of residential lots and road reserve; and
- The park contains an oval, Frye Park Pavilion, a basketball court, cricket nets, a playground and a large carpark containing 110 bays in the north-western corner.

Summary of Proposed Upgrades

The upgrades proposed for Frye Park include the following:

- Expansion of existing playground for 7 – 12 year old children;
- An “active play” play space for ages 12+;
- Picnic node adjacent to existing playground, including BBQ and shade;
- Fence and additional tree planting separating the playground from Clifton Street; and
- Path link connecting a roadside footpath to the playground.

Rushton Park

Summary Description of Existing Park

- The park is bound by Orlando Street to the north, River Road to the west, the Kelmscott Caravan Park to the south and Canning River to the east; and
- The park contains two ovals, nine tennis courts, cricket nets, numerous buildings including Kelmscott Hall, a playground, war memorial and various carparks.

Summary of Proposed Upgrades

The upgrades proposed for Rushton Park include the following:

- Revegetation abutting the Canning River;
- Fencing of revegetation areas;
- Two informal access points and a viewing deck abutting the river;
- Informal earth pathway on west side of revegetation areas; and
- Shelters have been replaced with park benches and relocated.

Canning River Walk Trail (Fancote Park)

Summary Description of Existing Park

- The proposed Canning River Walk Trail is proposed to run through a number of continuous foreshore reserves on the west side of the Canning River, from Gilwell Avenue in the south to Pries Place in the north;
- The foreshore reserves in the northern and central portion of the trail have been revegetated; and
- The central section of the trail would also abut Fancote Park, which is a District Park containing a playground and an exercise circuit.

Summary of Proposed Upgrades

The upgrades proposed for the Canning River Walk Trail include the following:

- A walk trail comprising a compacted earth path;
- Signage;
- Revegetation of the southern portion of the trail and an associated Fire Management Plan; and
- Extend revegetation/fencing.

Lloyd Hughes Park

Summary Description of Existing Park

- Lloyd Hughes Park is a 17.7ha "A" Class bushland reserve which forms part of the Banyowla Regional Park;
- The reserve is bounded by Martin Street to the north, Marmion Street to the west and Canning Mills Road to the south and east; and
- A Bushland Management Plan which was adopted in 2013 guides the management of the park and addresses issues such as fire, dieback and stormwater management.

Summary of Proposed Upgrades

The upgrades proposed for Lloyd Hughes Park include the following:

- Limestone track;
- Gates and fencing;
- Revegetation; and
- Signage.

Goolamrup Reserve

Summary Description of Existing Park

- Goolamrup Reserve is a bushland reserve (1.67ha in size) located on the corner of Buckingham Road and an unconstructed portion of Bernard Street which runs down to the Canning River.

Summary of Proposed Upgrades

The upgrades proposed for Goolamrup Reserve include the following:

- Limestone track;
- Gates and fencing;
- Revegetation; and
- Signage.

OPTIONS

Council could:

1. Resolve to endorse the schedule of works for the five parks proposed to be upgraded in Precinct F of the POS Strategy.
2. Resolve to modify the proposed schedule of works for the five parks proposed to be upgraded in Precinct F of the POS Strategy.
3. Recommit the priority list and schedule of works for Precinct F of the POS Strategy for a later date and retain the funds in Trust for use at a later date.

CONCLUSION

The Public Open Space Working Group and Councillors have considered draft proposals and developed a comprehensive works schedule for upgrades to parks within Precinct F. The proposed schedule of works reflects a collaborative approach towards the development of proposals, which are a sustainable and equitable use of POS Strategy funds. Upgrades are appropriate to the character of the local area, park hierarchy and the City's asset management strategies. The proposals foster both active and passive recreation opportunities and support recommendations within a number of City policies that aim at conserving valuable natural fauna and flora, whilst also promoting upgrades that support improved active lifestyles. Option 1 is recommended.

RECOMMEND

That Council:

1. Approves the following proposed reserve improvement capital works (totalling \$707,000) being listed for consideration of inclusion in the 2018/19 and subsequent year Annual Budgets, noting that these capital works will be fully funded from the POS - Precinct F Trust Account (including any interest) and POS Cash-In-Lieu Account, ie.
 - a) Frye Park - \$367,000;
 - b) Rushton Park - \$140,000;
 - c) Canning River Walk Trail - \$85,000;
 - d) Lloyd Hughes Park - \$80,000; and
 - e) Goolamrup Reserve - \$35,000.
2. Pursuant to Section 154 of the Planning and Development Act 2005, requests the Minister's approval to spend \$2,200 (plus interest) of Public Open Space Cash-in-Lieu funds held by Council in Trust, from past subdivision applications (96822), towards the improvements to the playground in Frye Park.
3. Note that the Public Open Space Cash-in-Lieu funds cannot be spent until the approval has been granted by the Minister of Planning.

ATTACHMENTS

1. [↓](#) Location Plan - POS Strategy - Precinct F
2. [↓](#) Frye Park - Precinct F Proposal
3. [↓](#) Frye Park - Master Plan
4. [↓](#) Rushton Park - Concept Plan Seating - Precinct F Proposal
5. [↓](#) Rushton Canning River - Concept Plan
6. [↓](#) Rushton Park - Master Plan Option 1
7. [↓](#) Canning River Walk Trail - Precinct F Proposal
8. [↓](#) Lloyd Hughes Reserve - Concept Plan
9. [↓](#) Goolamrup Reserve - Precinct F Proposal

***4.1 - 10TH INTERNATIONAL URBAN DESIGN CONFERENCE - SURFERS
PARADISE, QUEENSLAND - 13TH TO 14TH NOVEMBER 2017***

WARD : ALL
FILE No. : M/212/17
DATE : 15 August 2017
REF : SS
RESPONSIBLE : Executive Director
MANAGER : Development Services

In Brief:

- The 10th International Urban Design Conference will be held in Surfers Paradise, Queensland from the 13th to the 14th November 2017.
- Matters to be covered should be of relevance to the City of Armadale.
- Recommend that consideration be given to nominating a Councillor to attend the conference.

Tabled Items

Nil.

Officer Interest Declaration

Nil.

Strategic Implications

Relates to the aim for good governance and leadership to:

4.1.3.2 Deliver to Councillors appropriate training and development opportunities.

Legislation Implications

Nil.

Council Policy/Local Law Implications

Council Policy ADM3 – Conferences and Training

Council Policy EM1 – Reimbursement Councillor's Expenses

Budget/Financial Implications

The 10th International Urban Design Conference is on the Approved Conference List for both Officers and Elected Members. Officer attendance will be funded from the Planning Service's Conference and Meeting budget. Sufficient funds are available in the Councillor/Member Development Budget should a Councillor be nominated to attend.

The total cost of the conference (registration, accommodation and air fares) is estimated at \$3,500 per delegate.

BACKGROUND

The 10th International Urban Design Conference will be held at the Surfers Paradise Marriott Resort and Spa, Gold Coast, Queensland from Monday, 13th to Tuesday, 14th November 2017.

DETAILS OF CONFERENCE

This years' theme titled 'Disruption, Divergence and Designed Intervention – Making Change Happen' will showcase innovations and projects embracing transformational change in urban environments. The aim is to highlight modest but high impact idea to the new Eco-city, from technological experimentation to multicultural cities and from the use of big data to physical city making.

Whilst the official program is yet to be released, the Conference will explore the links which create the concrete physicality of the built environment, the complex social, economic, political and cultural processes through which the physical urban form is produced and consumed will be examined. It aims at developing a framework of ideas to provoke debate and speculate on new forms of practice.

Today, Cities are forming and re-forming on an unprecedented scale. Progressive projects in cities around the world address the pressing issues of climate change, economic stability, social equality and sustainable resource use.

A Confirmed Keynote Speaker is:

Mr Peter Edwards, Director, Archipelago & President, Urban Design Alliance Queensland - Peter is an Architect, an accomplished and recognised Urbanist, and a leading figure in this region's Urban Design community. Peter is Director and co-founder of the Architecture and Urban Design practice – Archipelago. Archipelago provides architecture and urban design leadership in the shaping of Queensland's cities. Recent city shaping projects include the Gold Coast Health and Knowledge Precinct 2016 Masterplan and a new masterplan for Northshore Hamilton.

It should be noted that a Council meeting is scheduled on the 13th November 2017, when the conference is being held. It is potentially beneficial for an Elected Member to attend the 10th International Urban Design Conference, given a number of topics may be applicable to the City and offer insight into matters that are impacting the City and growth areas in general.

CONCLUSION

Committee is reminded of clause 2(d) of the ADM 3 Conferences Management Practice which reads:-

“2(d) - Where a member of Council at the date of the conference, seminar or training course has an electoral term of less than 6 months to complete, such member shall be ineligible to attend unless such is specifically authorised by Council.”

An Officer from Development Services will be attending the 10th International Urban Design Conference. The matter is brought to the attention of Council to determine if it wishes to nominate a Councillor to attend.

RECOMMEND

That Council:

- 1. Nominates Cr _____ to attend the 10th International Urban Design Conference to be held in Surfers Paradise, Queensland from 13th to 14th November 2017.**

or

- 2. If there is no nomination at the Development Services Committee or the Ordinary Meeting of Council 28th August 2017, then the recommendation be as follows:**

That no nomination be made for an Elected Member to attend the 10th International Urban Design Conference to be held in Surfers Paradise, Queensland from 13th to 14th November 2017.

ATTACHMENTS

There are no attachments for this report.

COUNCILLORS' ITEMS

Items to be submitted.

EXECUTIVE DIRECTOR DEVELOPMENT SERVICES REPORT

6.1 - PROPOSED LOCAL DEVELOPMENT PLAN FOR FORMER PRIMARY SCHOOL SITE AT LOT 352 & 3268 ROBIN ROAD, ROLEYSTONE

On the 19th December 2016, Council resolved to adopt the advertised Local Development Plan (see Attachment) for the former Roleystone Primary School site at Lots 1352 and 3268 Robin Road, Roleystone and refer it to the Western Australian Planning Commission (WAPC) for final approval after several modifications and completion of technical reports.

Since Council's decision, the applicant has undertaken the preparation of technical documents including the Fire Management Plan (FMP) and Black Cockatoo assessment. During the process of preparing the technical documents, namely the FMP, it was necessary to make a number of modifications to the approved LDP to meet fire management requirements and to ensure Council's conditions and community expectations to retain trees on site is maintained. As a result a revised LDP dated 14th May 2017 (See Attachment) was prepared and submitted to the WAPC for approval. The revised LDP includes the following changes from the LDP dated 21st April 2016:

- Removal of 2 lots on the western side of the LDP and three lots in the centre of the LDP to affect an overall reduction of 5 lots across the LDP. The total number of dwellings proposed is 39 instead of 44.
- Realignment of lots on the eastern side of the LDP and creation of a 21m wide Asset Protection Zone (APZ).
- Relocation of visitor parking adjacent to the undercover area to the entrance to the estate.
- Establishment of a 27m long Asset Protection Zone (APZ) on the western side of the LDP.
- General readjustment of lot sizes / areas to between 276sqm and 384sqm in area.
- Expansion of development provisions and inclusion of Building Design elements and notations referencing the future location of the Waste Water Collection and Treatment Facility and the retention of the 'Snotty Gobble' tree as required by Council.

The modified LDP and FMP has been assessed by the Department of Fire and Emergency Services (DFES) on the basis that the proposed use of the site for Aged Persons Dwellings is classified as a 'Vulnerable Use' in accordance with Section 6.6 of Statement of Planning Policy 3.7 – 'Planning in Bushfire Prone Areas'. DFES has issued its approval for the FMP.

The Department for Planning has assessed the modified LDP and supporting documentation and referred the LDP to its Statutory Planning Committee for determination on the 8th August 2017. In accordance with the Council resolution, the Executive Manager Development Services made a deputation to the Statutory Planning Committee in favour of the proposed LDP. The Statutory Planning Committee resolved to approve the modified LDP dated 14th May 2017 and in addition resolved to instruct the Department for Planning to support a subdivision plan that accords with the LDP.

The applicant can now progress detailed planning, which includes the preparation of a subdivision plan and development plan for the related aged person's complex.

ATTACHMENTS

1. [↓](#) Location Plan - Lots 1352 & 3268 Robin Road, Roleystone
2. [↓](#) Aerial Plan - Lots 1352 & 3268 Robin Road, Roleystone
3. [↓](#) Local Development Plan 1 - Lots 1352 & 3268 Robin Road, Roleystone
4. [↓](#) Local Development Plan 2 - Lots 1352 & 3268 Robin Road, Roleystone
5. [↓](#) Local Development Plan 3 - Lots 1352 & 3268 Robin Road, Roleystone
6. [↓](#) Local Development Plan 4 - Lots 1352 & 3268 Robin Road, Roleystone
7. [↓](#) Local Development Plan 5 - Lots 1352 & 3268 Robin Road, Roleystone

***6.2 - DEVELOPMENT APPLICATION - UPGRADES AND EXTENSIONS TO
EXISTING FACTORY - ARMADALE BRICKWORKS - LOTS 12 AND 104, NO.245
SOUTH WESTERN HIGHWAY, ARMADALE***

The City received a development application on 25 July 2017 from Austral Brick proposing the addition of a new kiln and extension to the existing brickworks factory building at the abovementioned site. The estimated development cost equates to \$13.6M. The proposal consists of the following particular elements:

1. The extension of the existing Austral Brickworks factory building. The floor area of the building will increase from approximately 6750m² to 12800m².
2. The extension is intended to allow upgrades and improvements to the existing manufacturing plant and equipment to reduce noise and dust emissions. Brick production will potentially increase from 200,000 tonnes a year to 250,000 tonnes a year.
3. Modifications and enlargements to the existing network of stormwater retention ponds.
4. The construction of a sealed surface area for outdoor brick storage on the southern side of the factory building.
5. Approximately 50 contractors will be employed during the construction phase. Once operational, staff levels will remain at around 30 full time staff at any one time, which is consistent with current staffing levels.
6. Existing vehicle access points on South Western Highway will remain in use. The applicant has not forecast an overall increase in truck movements to and from the site. This is due to clay deliveries being extended into the winter months rather than in summer only as is presently the case.
7. The existing 35m high chimney stack is to be relocated from its present position.
8. The State Heritage Listed *Dust Room (fmr)* is not part of the proposal and applicant advised will not be affected.

The applicant has submitted the following information to support the proposal:

- Development Application Report
- Plans
- Traffic Impact Statement
- Noise Impact Assessment
- Department of Environment and Regulation Licence Application

As the application relates to an *Industry – Noxious* use it will be advertised to all landowners within 500m of the subject site. This will correspond with the Brickworks Buffer Zone under Special Control Area 1 of Town Planning Scheme No.4 (TPS 4). Consultation will take place from 16th August to 6th September 2017.

As the proposed development exceeds the mandatory \$10 million development cost threshold established by the *Planning and Development (Development Assessment Panels) Regulations 2011*, the application will be referred to the Eastern Joint Development Assessment Panel (JDAP) for determination. The City will not be the decision making authority in this instance and is required to submit its Responsible Authority Report (RAR) to the JDAP by 9 October 2017.

ATTACHMENTS

1. [↓](#) Location Plan - 245 South Western Hwy - Armadale Brickworks
2. [↓](#) Aerial - 245 South Western Hwy - Armadale Brickworks
3. [↓](#) Site Plan - 245 South Western Hwy - Armadale Brickworks
4. [↓](#) Elevation Plan 1 - 245 South Western Hwy - Armadale Brickworks
5. [↓](#) Elevation 2 - 245 South Western Hwy - Armadale Brickworks
6. [↓](#) Survey 1 - 245 South Western Hwy - Armadale Brickworks
7. [↓](#) Survey 2 - 245 South Western Hwy - Armadale Brickworks

MEETING DECLARED CLOSED AT _____

DEVELOPMENT SERVICES COMMITTEE		
SUMMARY OF ATTACHMENTS		
22 AUGUST 2017		
ATT NO.	SUBJECT	PAGE
2.2 PROPOSED TELECOMMUNICATIONS INFRASTRUCTURE - GWYNNE PARK - LOT 969 (90) SEVENTH ROAD ARMADALE		
2.2.1	Site Photograph - Lot 969 Seventh Rd, Armadale	52
2.2.2	Copy of Previous Council Report - Lot 969 Seventh Rd Armadale	53
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3.1.2	Frye Park - Precinct F Proposal	67
3.1.3	Frye Park - Master Plan	68
3.1.4	Rushton Park - Concept Plan Seating - Precinct F Proposal	69
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6.1 PROPOSED LOCAL DEVELOPMENT PLAN FOR FORMER PRIMARY SCHOOL SITE AT LOT 352 & 3268 ROBIN ROAD, ROLEYSTONE		
6.1.1	Location Plan - Lots 1352 & 3268 Robin Road, Roleystone	75
6.1.2	Aerial Plan - Lots 1352 & 3268 Robin Road, Roleystone	76
6.1.3	Local Development Plan 1 - Lots 1352 & 3268 Robin Road, Roleystone	77
6.1.4	Local Development Plan 2 - Lots 1352 & 3268 Robin Road, Roleystone	78
6.1.5	Local Development Plan 3 - Lots 1352 & 3268 Robin Road, Roleystone	79
6.1.6	Local Development Plan 4 - Lots 1352 & 3268 Robin Road, Roleystone	80
6.1.7	Local Development Plan 5 - Lots 1352 & 3268 Robin Road, Roleystone	81
6.2 DEVELOPMENT APPLICATION - UPGRADES AND EXTENSIONS TO EXISTING FACTORY - ARMADALE BRICKWORKS - LOTS 12 AND 104, NO.245 SOUTH WESTERN HIGHWAY, ARMADALE		
6.2.1	Location Plan - 245 South Western Hwy - Armadale Brickworks	82
6.2.2	Aerial - 245 South Western Hwy - Armadale Brickworks	83
6.2.3	Site Plan - 245 South Western Hwy - Armadale Brickworks	84
6.2.4	Elevation Plan 1 - 245 South Western Hwy - Armadale Brickworks	85
6.2.5	Elevation 2 - 245 South Western Hwy - Armadale Brickworks	86
6.2.6	Survey 1 - 245 South Western Hwy - Armadale Brickworks	87
6.2.7	Survey 2 - 245 South Western Hwy - Armadale Brickworks	88



Location of proposed mobile phone tower



Location of proposed mobile phone tower

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COMMITTEE – Development

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COUNCIL MEETING 26 JUNE 2017

***1.2 - PROPOSED TELECOMMUNICATIONS INFRASTRUCTURE - GWYNNE PARK
- LOT 969 (90) SEVENTH ROAD ARMADALE***

WARD : MINNAWARRA
FILE No. : - M/350/17
APPLN NO. : 10.2016.322.1
DATE : 13 June 2017
REF : CV/PS
RESPONSIBLE MANAGER : Executive Director
Development Services
APPLICANT : Planning Solutions (on
behalf of Optus)
LANDOWNER : Crown Reserve vested in
the City of Armadale
SUBJECT LAND : Property size: 7.9 ha
ZONING
MRS / : Urban
TPS No.4 : Parks and Recreation
Local Reserve.

In Brief:

- The City received an application for a telecommunications tower and associated infrastructure development to be located at Lot 29 Townley Street Armadale on 02/09/2016. Lot 29 is zoned Local Centre / Residential R15/25. Telecommunications Infrastructure is an 'A' use under this zoning in accordance with Town Planning Scheme No. 4.
- The proposal consisted of a 26m high communications monopole tower with an accompanying equipment cabinet.
- The City advertised the proposal to all landowners within a 500m radius of the site. The City received 21 submissions, with six submissions supporting the proposal and 15 objecting to the proposal.
- The application was refused by the City on 24/11/2016 for eight reasons.
- The applicant lodged a review against the City's decision to refuse the application with the State Administrative Tribunal (SAT). A Directions Hearing was held on 24/03/2017.
- Discussions between the City and the applicant have identified a potential alternative site at Gwynne Park.
- The applicant has proposed a 31m telecommunications tower located between the existing cricket nets.
- Council is requested to consider the suitability of the proposal in a location in Gwynne Park and to initiate public consultation of the revised proposal.

Tabled Items

Nil.

Officer Interest Declaration

Nil

Strategic Implications

- 2.3 Diverse and attractive development that is integrated with the distinctive character of the City.
2.3.1 Provide supportive planning and development guidance and liaison on major land developments.
- 2.4 Attractive and user-friendly streetscapes and open spaces.
2.4.1 Implement townscape, streetscape and parkland improvements to enhance the distinctive character of the City.

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COMMITTEE – Development

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COUNCIL MEETING 26 JUNE 2017

Legislation Implications

Planning and Development Act 2005
Town Planning Scheme (TPS) No. 4
Local Planning Strategy 2016
Metropolitan Region Scheme
State Planning Policy 5.2 – Telecommunications Infrastructure
Local Government Act 1995

Council Policy/Local Law Implications

Nil

Budget/Financial Implications

The applicant would be required to enter into a lease arrangement with the City and possibly the State Government to utilise the reserve. This is discussed in further detail in this report.

Consultation

Comments in relation to the use of Gwynne Park for the purpose of constructing Telecommunications Infrastructure (a monopole telecommunications tower) has been sought from Parks and Reserves, Community Services and Governance Departments of the City. Their comments are discussed further in this report.

BACKGROUND

Consideration of Application for Telecommunications Infrastructure

The applicant originally submitted a development application to the City on 02/09/2016 for a Telecommunications Infrastructure land use. The proposal comprised a 26m tall monopole tower and associated fixtures located to the rear of the existing Convenience Store at Lot 29, No. 3-5 Townley Street Armadale. The zoning of this site is Local Centre/Residential R15/25 under TPS 4; however the land is located within a predominately residential context.

As Telecommunications Infrastructure is an ‘A’ use within the Local Centre zone, the City undertook consultation by writing to all landowners within a 500m radius of the subject site. 21 submissions were received; six submissions were in support of the proposal, while 15 submissions were opposed to the proposal. The principal reasons for opposing the application were on the grounds of negative visual impact, health impacts and property devaluation.

The City refused the application on 24/11/2016 for the following reasons:

1. The design and appearance of the proposed infrastructure (that includes a 26m high tower and a 2.1m high, 8.1sqm Colorbond equipment cabinet with security fencing) is inconsistent with Clause 4.2.5 (b) of the City’s Town Planning Scheme No.4 objectives for the Local Centre zone, which aims:

“To ensure the design and landscaping of development provides a high standard of safety and contributes towards a sense of place and community within the local neighbourhood”

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2. The proposal is inconsistent with the objectives of the surrounding ‘Residential’ zone as stipulated by Clause 4.2.1 (c) of Town Planning Scheme No.4, which aims:

“To facilitate and encourage high quality design, built form and streetscapes throughout residential areas”.
3. The proposal is not consistent with Schedule 2 Part 9 Clause 67 (m) of the Planning and Development (Local Planning Schemes) Regulations 2015, as it is not compatible with the development on adjoining land or other land in the locality in terms of height, bulk, scale and appearance.
4. Given the subject site is open, devoid of vegetation and small in area, the proposed ‘Telecommunication Tower’ and shelter will be highly and prominently visible from the majority of the surrounding residential and public areas. As such, the applicant has not satisfactorily demonstrated how the siting of a 26m high telecommunication tower in its proposed location will mitigate adverse impacts on the surrounding locality in terms of environmental and social impact and its impact on the character of the locality. The proposal is inconsistent with Schedule 2 Part 9 Clause 67 (n) of the Planning and Development (Local Planning Schemes) Regulations 2015.
5. The proposed Telecommunication tower and the associated structures are proposed to be located within the existing car parking area of this ‘Local Centre’ zoned site. This would displace a number of parking bays servicing the existing development. The applicant has not demonstrated how this parking shortfall issue would be addressed in terms of present parking requirements.
6. The proposal is inconsistent with the following provisions of the State Planning Policy 5.2 "Telecommunications Infrastructure (September 2015)":
 - 1) *Clause 4 - Policy Objectives*
 - (a) *“facilitate the provision of telecommunications infrastructure in an efficient and environmentally responsible manner to meet community needs;*
 - (b) *manage the environmental, cultural heritage, visual and social impacts of telecommunications infrastructure”.*

The applicant has not satisfactorily demonstrated that there is a community need for this infrastructure at this particular location, or provide acceptable reasons for selecting the subject site.

As stated in reason number 3 above, no justification has been provided as to what measures will be utilised to address the adverse visual impact of the tower on the surrounding residential neighbourhood.

- 2) *Clause 5 – Policy measures (5.1.1)*
 - (a) *be located where it will not be prominently visible from significant viewing locations such as scenic routes, lookouts and recreation sites;*
 - (b) *not be located on sites where environmental, cultural heritage, social and visual landscape values maybe compromised.*

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The subject site is located directly opposite a local “Parks and Recreation” (Gwynne Park) reserve and is considered to compromise social and visual landscape values of the surrounding locality contrary to the above Policy statement.

7. The proposal will have a detrimental impact on the amenity of the adjoining and nearby residential lots and the streetscape of the area.
8. The proposal is inconsistent with Scheme Clause 1.6 which aims:
 - a) *To promote and safeguard the health, safety, convenience and general welfare of the inhabitants of the district, and to achieve an improved quality of living for the people of Armadale;*
 - b) *To preserve and enhance the amenities of the district and to manage land uses so as to minimise conflicts between otherwise incompatible uses;*
 - c) *To promote a safe and energy-efficient pattern and form of development, balancing the needs of development with those of sustainable economic, social and environmental systems;*
 - d) *To facilitate and encourage high quality design, built form and streetscapes throughout the district.*

The applicant lodged a review under the *Planning and Development Act 2005* to the State Administrative Tribunal (SAT) on 20/12/2016. At the Directions Hearing on 23/03/2017 the SAT directed the parties to undertake mediation to attempt to resolve the issue rather than progress immediately to a formal hearing. It was agreed that the consideration of the appeal could be deferred until 17/06/2017 in order to allow the applicant and the City to liaise with regard to identifying alternative sites in the locality for the Telecommunications Infrastructure use. A number of site inspections have been undertaken with the City and the applicant to consider various options, including five locations within Gwynne Park and three other reserves nearby. There are no other commercial zoned sites (e.g. Local Centre, District Centre) within the applicant’s coverage area.

DETAILS OF PROPOSAL

In response to the SAT orders the City and the applicant have identified a potential alternative location approximately 200m south east on Townley Street from the original location. The proposal that the applicant has put forward for the alternative Gwynne Park site is comprised of the following elements:

- A 31.3m telecommunications tower located in the south eastern corner of Lot 969 Gwynne Park, situated between the existing cricket nets. The monopole is not proposed to incorporate a head frame. The antennas are proposed to be flush mounted to the pole instead. Additional small scale equipment boxes will be located at ground level locations suitable for the City. The tower is proposed to be located 20m from the Townley Street boundary.

The applicant has indicated that the proposed monopole telecommunications tower is to be increased in height from 26m to 31.3m. The applicant has advised the City the additional height will also provide additional improvement to coverage for parts of Champions Lakes and Kelmscott.

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The subject land is a Crown Reserve that has been vested with the City of Armadale for Recreation Purposes. Under TPS 4 any development that is not a public work on reserved land requires a development approval.

In support of the selected location the applicant has advised the following:

1. *The monopole height allows signal clearance above the adjacent trees, providing the greatest level of coverage while still being visually screened and obscured by the trees. The established vegetation fringing the park provides a significant visual screening function and will largely obscure the proposed facility when viewed from Townley Street and adjacent properties.*
2. *The monopole is to be sited close to the planned new light poles serving the junior oval. This clustering of light poles serves to minimise the visual impact of erecting multiple vertical structures. The monopole also offers further opportunities for additional lighting to be installed if required (e.g. to service the cricket nets or oval training sessions).*
3. *The proposed monopole location does not obstruct any functional usage of the reserve, both in terms of its active (sporting) and passive recreational functions.*
4. *The monopole is designed to support co-location with Telstra and Optus, potentially reducing the need for further proliferation of additional mobile phone base stations.*

The applicant identified the need for the facility as being based in improving network coverage in the localities of:

1. *Armadale, surrounding Gwynne Park.*
2. *Eastern portion of Haynes.*
3. *Eastern portion of Hilbert.*
4. *Northern portion of Brookdale.*

Telecommunication coverage maps have been provided by the applicant to demonstrate that the proposed development would improve phone and data coverage in the locality. *These are included as Confidential Attachments to this report, as there are commercial sensitivities.*

COMMENT

Consultation with City Business Units

Development Services

The City's Development Services section does not object to the proposed alternative location of Gwynne Park. As part of the SAT mediation process for the Telecommunications Infrastructure application on Lot 29 Townley Street, the applicant and the City were encouraged to consider options to resolve the matter. Following the review of the area the applicant had confirmed that the telecommunications tower was required, the City was able to advise that the majority of locations (mainly small public open space areas) were not suitable for a telecommunications tower given the proximity of school sites and there were no other industrial or commercial zoned sites within the required area, which are often preferred. Therefore, Gwynne Park given its size was the most appropriate alternative location to consider.

A number of sites across Gwynne Park were evaluated by the applicant and officers from Development Services, Park Services and Community Services, which narrowed the options to two locations in Gwynne Park. Further site meetings were undertaken and the most appropriate location identified in Gwynne Park was between the existing cricket nets, which are a safe distance from the playing surfaces or any future changes. This site was selected as it would not have any impacts upon future Master Planning proposals for the park or the current lighting upgrades. The area was not able to be used for any other substantial use and the telecommunications tower would have limited impact on users of Gwynne Park. The preferred location does not involve the removal of any trees and the existing trees could assist in reducing the visual impact for residential properties.

Parks and Reserves

The City's Parks and Reserves Department has been part of the discussion with the applicant to identify a suitable location for the proposed telecommunications tower. Parks and Reserves are in agreement with the applicant that the selected location is the preferred one out of those within Gwynne Park that were considered. Parks and Reserves have advised that if some minor pruning of nearby trees was required in order to facilitate the proposed development, this would be unlikely to have a detrimental impact on the trees. Such works are only likely to be requested if the height of the telecommunications tower is reduced. Parks and Reserves have also advised that if the proposal is ultimately approved then a condition requiring the applicant to satisfactorily install a hardstand and fence around the infrastructure would be necessary. The fence will be between the existing sets of cricket nets.

Community Services

The Community Services Department has advised that it concurs with the view of Parks and Reserves in relation to the proposed Telecommunications Infrastructure use within Gwynne Park. Community Services is the business unit responsible for overseeing and implementing the Gwynne Park Master Plan.

The City has prepared a Master Plan for Gwynne Park, which was advertised for public comment and then adopted by Council at its meeting on 13 June 2016. The Gwynne Park Master Plan includes a Short to Medium Term (5-15 year period) and a Medium to Long Term (15 or more years), *which are included in the Attachments*. The Master Plan defines the strategic direction for the sporting and community complex, however the presence of other infrastructure, such as telecommunication towers, were not considered as part of this process as the focus was on community and sporting facilities and infrastructure. Notwithstanding this it is not considered that the proposed Telecommunications infrastructure will inhibit the ability of the City to implement the overall objectives of the Master Plan.

Governance Services

Should the City ultimately decide to support the proposal the City's Governance Services has advised that Optus will be required to enter into a lease agreement with the City for the use of the Crown Reserve. Governance has advised that in order to provide Optus with a lease the City would need to comply with section 3.58 of the *Local Government Act 1995 (Disposal of Property)*. This requires the City to:

1. Undertake a formal valuation for the lease (at the cost of the applicant).
2. Present a report to Council on the basic terms and conditions proposed subject to Ministerial approval as this is a vested reserve and public notice being given.

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3. Give formal public notice and invite submissions for a period of no less than two weeks. The public notice needs to contain the following information:
 - a. Name of the proposed lessee;
 - b. The consideration in which the City is to receive for the disposition (value);
 - c. The Market Valuation as ascertained by a formal valuation (no more than six months old)
4. Negotiate all the terms and conditions of the lease, subject to Minister for Lands approval.

Due to the Minister for Lands requiring that all the terms and conditions be negotiated before the lease is presented to them for approval, Governance recommend that all legal costs incurred that are associated with negotiating and preparing the lease are covered by the applicant including if the lease is then declined by the Minister for Lands.

Negotiating the terms and conditions of the lease can be a time consuming and costly process. The City prefers to negotiate lease agreements through solicitors in light of the complexity of such issues.

5. Commencement of the Lease cannot commence prior to the Minister for Lands giving their approval.
6. Council's direction in the past has been to approve a lease for a period of no more than ten years, consistent with other Telecommunications Infrastructure on the City's land.

In addition to the above, the Department of Lands has advised the City that in order to consider the excision of the part of the Reserve where the Telecommunications Infrastructure is proposed to be located, the City must undertake the following:

- Provide evidence to the Department of Lands of a Council resolution supporting the excision of land in accordance with Section 51 of the *Land Administration Act 1997*;
- A site plan showing the proposed excision and location of the Telecommunication Infrastructure;
- Details of the Telecommunication Infrastructure; and
- Confirmation regarding who will be the responsible party for bearing the costs.

Municipal Heritage Inventory

Gwynne Park is included as a Category C listing in the City's Municipal Heritage Inventory 2008 (MHI). The MHI identifies the place as having the following local heritage values:

- *Aesthetic Value: The place is an attractive urban park characterised by large expanses of lawn edged with mature eucalypt trees.*
- *Historic Value: The place is associated with the Gwynne family, early residents of the area.*
- *Social Value: The place is valued by the community as a public park and as a venue for sporting and social events.*

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For the proposal to be considered, the location of the telecommunications tower should not result in a significant impact that detracts from the above heritage values. The proposal itself would not result in the removal of existing recreation infrastructure or trees, and the proposal will not impact upon use of the Reserve. In particular, the cricket nets may continue to be used without significant disruption.

The City's Heritage Advisory Group will be consulted during the advertising period, should Council support the advertising of the proposal.

ANALYSIS

Town Planning Scheme No.4 (TPS No.4)

Under TPS 4 "telecommunications infrastructure" is defined as:

"land used to accommodate any part of the infrastructure of a telecommunications network and includes any line, equipment, apparatus, tower, antenna, tunnel, duct, hole, pit or other structure used, or for use in or in connection with, a telecommunications network"

The land is reserved for Parks and Recreation (local) under TPS 4. The Scheme states that a person must not use or commence development on a Local Reserve without planning approval and that the City is to have due regard to the ultimate purpose intended for the Reserve in addition to the standard matters set out in clause 10.2 of TPS 4.

The *Planning and Development (Local Planning Schemes) Regulations 2015* define the objectives of Local Reserve for Recreation as follows:

"Public Purposes which specifically provide for a range of public recreational facilities."

It is considered that the proposed Telecommunications Infrastructure use is in accordance with the above mentioned objectives and can therefore be considered for approval.

Whilst the City's TPS 4 does not require a development application for Telecommunications Infrastructure to be advertised if it is located on land reserved for Parks & Recreation (Local), it would be more appropriate to advertise the proposal as part of the excision of the reserve and/or lease, prior to the City consenting to sign a development application form. This would enable public consultation to occur on the proposal and Council could make its decision as to whether it wishes to proceed with the proposal. If Council supports the proposal following advertising, then a development application could be approved and the City would then advertise the terms of the lease (value etc.) for public comment as per Section 3.58 of the *Local Government Act 1995 (Disposal of Property)*.

WAPC State Planning Policy 5.2 Telecommunications Infrastructure

This policy, amongst other things, provides objectives and guiding principles for the location, siting and design of telecommunications infrastructure in addition to matters to be considered when determining planning applications. Those matters include whether the infrastructure has been sited to minimise visual impact, whether the infrastructure is located where it will facilitate continuous network coverage or improved service to the community, and whether or not the infrastructure is co-located.

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The proponent has identified a location in close proximity to the desired coverage area. The potential visual amenity impact of the proposal has been considered as well. The City therefore considers that the proposal is capable of meeting the objectives of SPP5.2.

OPTIONS

1. Council may advertise the proposal and the excision and/or lease of a portion of Crown Reserve Lot 969 No. 90 Townley Street, Armadale for a period of 28 days
2. Council may resolve to decline to support the proposed location of the Telecommunications Infrastructure and the matter will return to the SAT for a likely formal hearing in the original location of Lot 29, No. 3-5 Townley Street, Armadale.

CONCLUSION

Telecommunications are largely provided by commercial operators; however the services they provide including mobile phone and internet are important and necessary services that benefit the community. It is often difficult to find appropriate locations for mobile phone towers. Through the SAT mediation process and subsequent discussions with the applicant, an appropriate location has been identified for a new telecommunications tower. The new location of the tower will increase coverage and reduce the current limits and gaps in these services in the surrounding suburbs, whilst having a significantly reduced impact on the streetscape and neighbourhood amenity. The proposal has been located to minimise any future impacts of the tower on the Master Plan for Gwynne Park.

It is recommended that the proposal be advertised for public comment in-accordance with Option 1.

ATTACHMENTS

1. 1 Site Elevation Plan - Lot 969 Seventh Road
2. 2 Site Layout Plan - Lot 969 Seventh Road
3. 3 Overall Site Plan - Lot 969 Seventh Road
4. 4 Site Specifications Plan - Lot 969 Seventh Road
5. 5 Site Photograph - Lot 969 Seventh Road
6. CONFIDENTIAL - Site Scoping Map - Telecommunications Infrastructure - Gwynne Park - *This matter is considered to be confidential under Section 5.23(2) (b) of the Local Government Act, as it deals with matters relating to the personal affairs of a person/s.*
7. CONFIDENTIAL - Site Coverage Map - Telecommunications Infrastructure - Gwynne Park - *This matter is considered to be confidential under Section 5.23(2) (b) of the Local Government Act, as it deals with matters relating to the personal affairs of a person/s.*

RECOMMEND

D25/6/17

That Council:

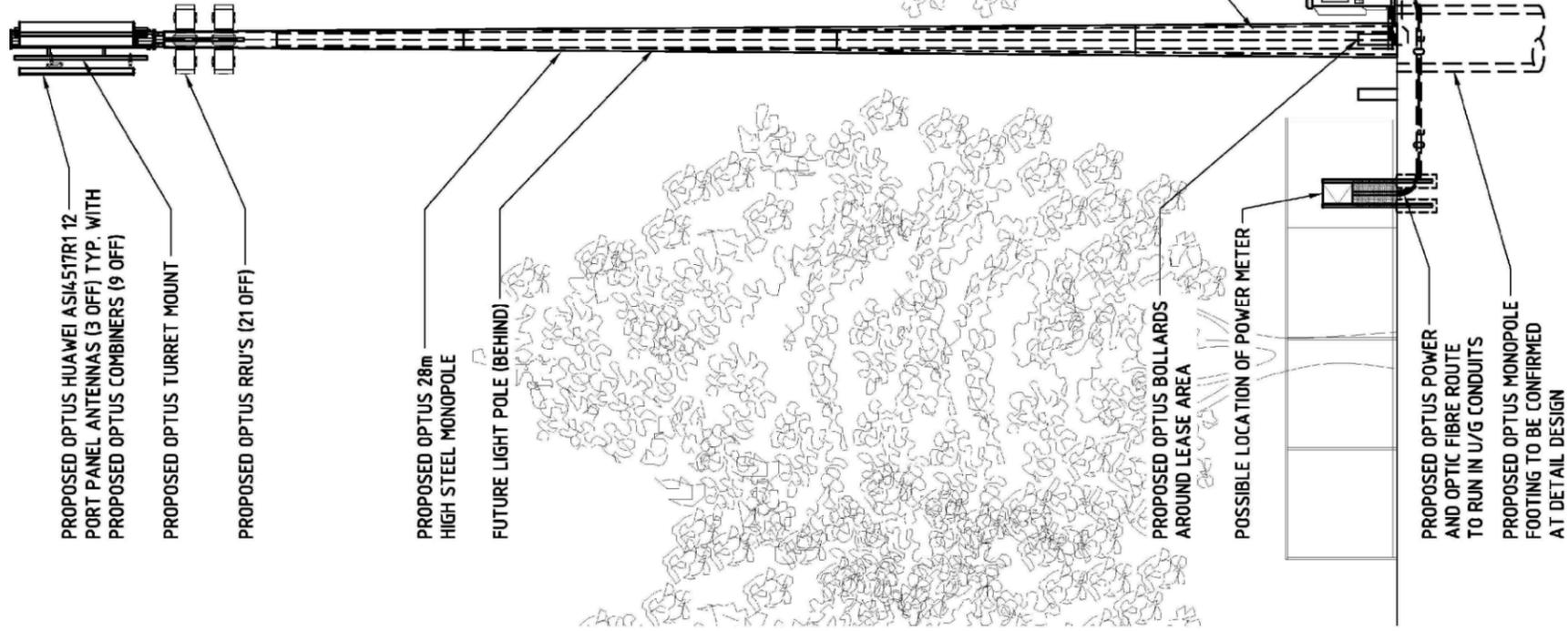
1. **Advertise the proposed Telecommunications Infrastructure and the excision and/or lease of a portion of Reserve Lot 969, No. 90 Townley Street Armadale for a period of 28 days.**
2. **Note that a report will be prepared on the outcome of the submission period for Council's consideration.**

Moved Cr R Butterfield
MOTION CARRIED

(7/0)

NOTE:
1. THIS DRAWING IS DIAGRAMMATIC ONLY AND SHOULD NOT BE SCALED.

- ▼ EL. 31.30
TOP OF PROPOSED OPTUS PANEL ANTENNAS
- ▼ EL. 30.00m
§ PROPOSED OPTUS PANEL ANTENNAS
- ▼ EL. 28.00m
TOP OF PROPOSED OPTUS MONOPOLE
- ▼ EL. 27.10m
§ PROPOSED OPTUS RRU'S



SOUTH-WEST ELEVATION
SCALE 1:125

Rev	Date	Revision Details	Consultant	CAD	Designer	Verifier	Approver
01	14.06.17	NOT FOR CONSTRUCTION (ROAD AND RAIL)	SSMC	JM	-	-	DP

servicestream
MOBILE COMMUNICATIONS
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T +61 8 9355 7500 | F +61 8 9355 5106 | www.servicestream.com.au

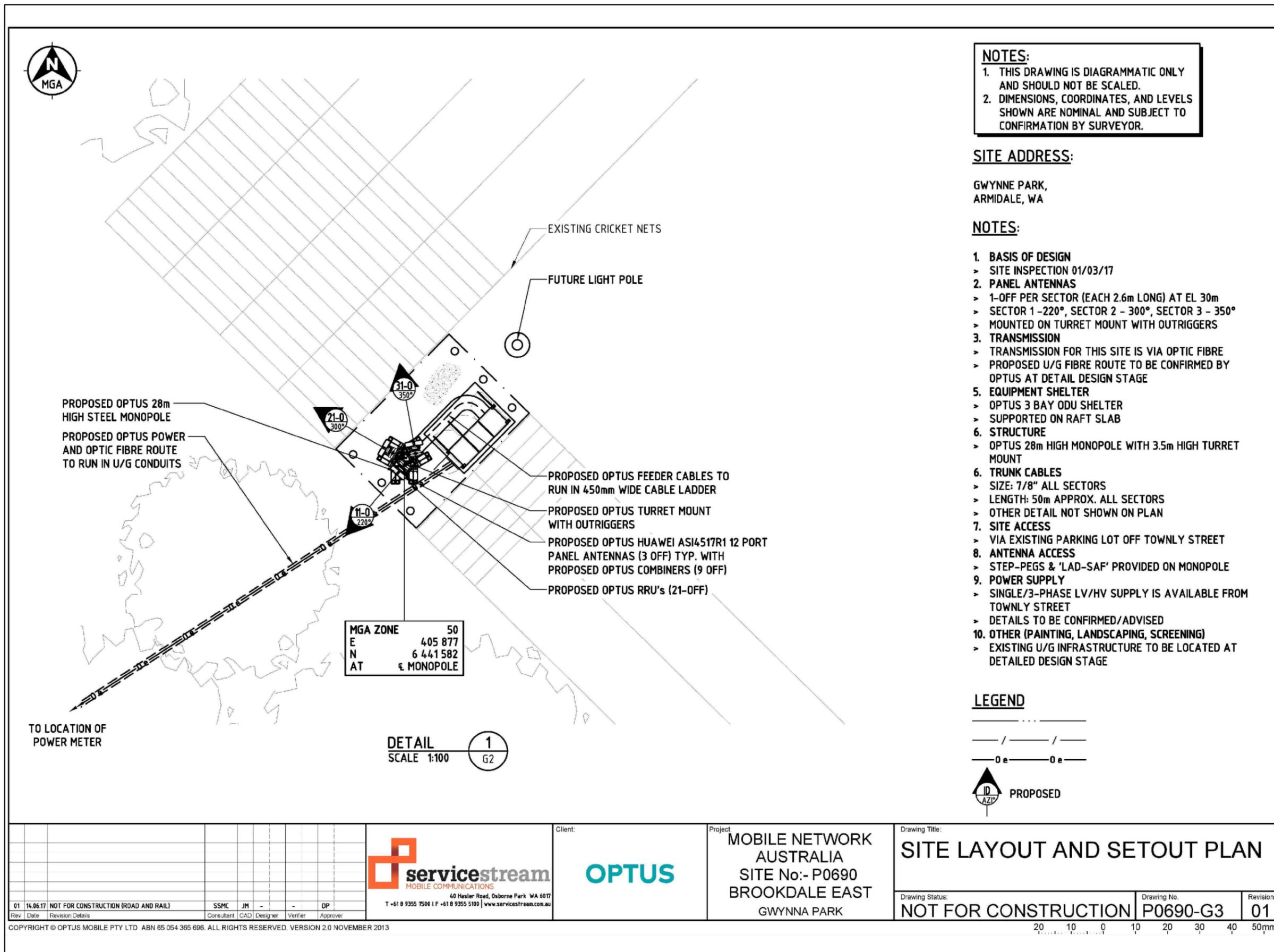
Client:

Project:
MOBILE NETWORK AUSTRALIA
SITE No:- P0690
BROOKDALE EAST
GWYNNA PARK

Drawing Title:
SITE ELEVATION

Drawing Status: NOT FOR CONSTRUCTION	Drawing No. P0690-G4	Revision 01
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NOT TO SCALE

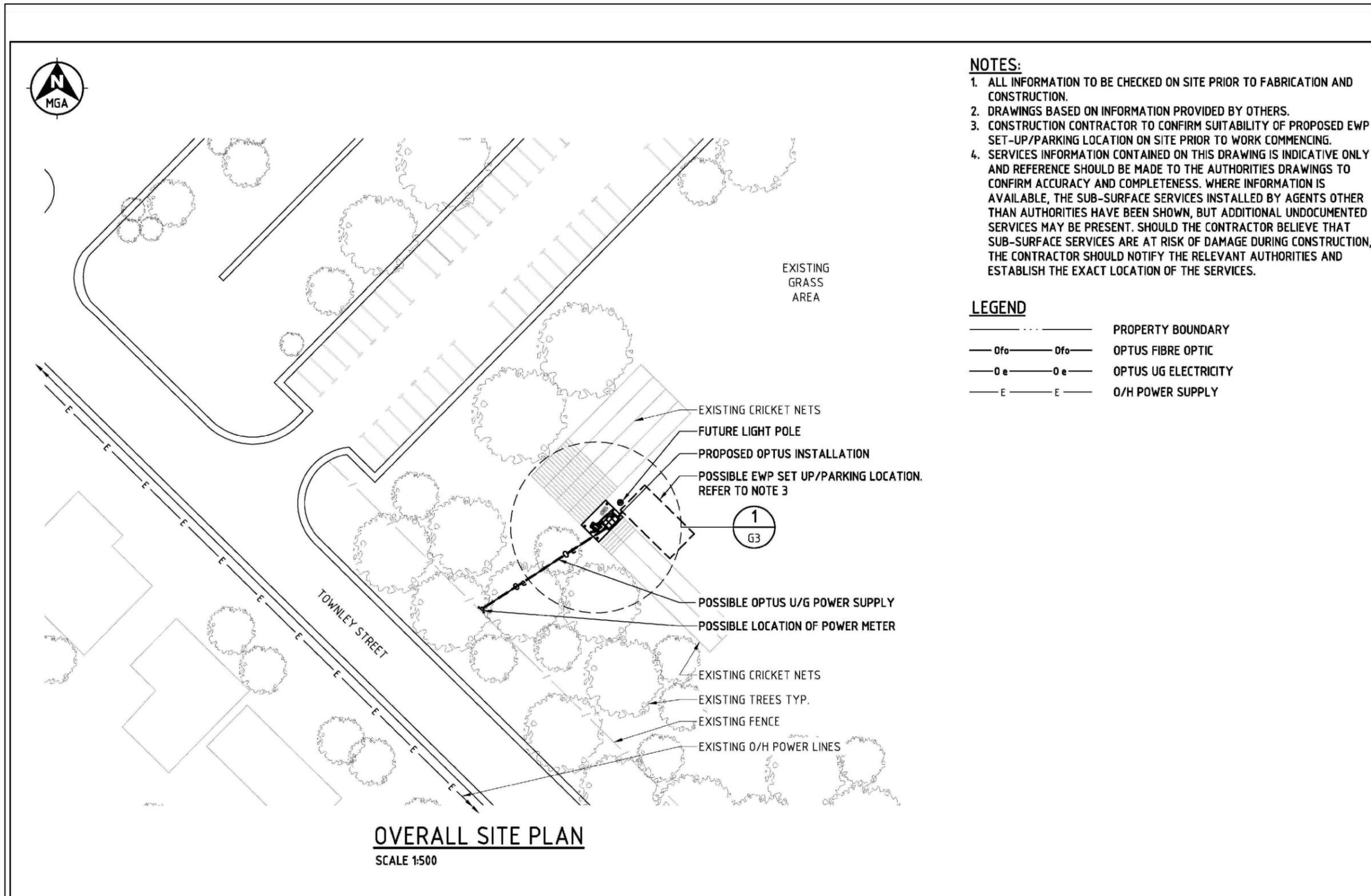
Based on information provided by and with the permission of the City of Armadale. Aerial photograph supplied by Landgate. Photographed by Northgate.

Site Layout and Setout Plan
Lot 969 Seventh Road, Armadale

DATE: 10 January 2017 - REVISION: 01
PROJECT: P0690 - G3 - 01

<table border="1"> <tr> <td>01</td> <td>16.06.17</td> <td>NOT FOR CONSTRUCTION (ROAD AND RAIL)</td> <td>SSMC</td> <td>JM</td> <td>-</td> <td>-</td> <td>DP</td> </tr> <tr> <td>Rev</td> <td>Date</td> <td>Revision Details</td> <td>Consultant</td> <td>CAD</td> <td>Designer</td> <td>Verifier</td> <td>Approver</td> </tr> </table>		01	16.06.17	NOT FOR CONSTRUCTION (ROAD AND RAIL)	SSMC	JM	-	-	DP	Rev	Date	Revision Details	Consultant	CAD	Designer	Verifier	Approver	<p>MOBILE COMMUNICATIONS 40 Hasler Road, Osborne Park WA 6017 T +61 8 9355 7500 F +61 8 9355 5100 www.servicestream.com.au</p>		Client: Project: MOBILE NETWORK AUSTRALIA SITE No:- P0690 BROOKDALE EAST GWYNNA PARK	Drawing Title: SITE LAYOUT AND SETOUT PLAN Drawing Status: NOT FOR CONSTRUCTION	Drawing No. P0690-G3	Revision 01
01	16.06.17	NOT FOR CONSTRUCTION (ROAD AND RAIL)	SSMC	JM	-	-	DP																
Rev	Date	Revision Details	Consultant	CAD	Designer	Verifier	Approver																





NOTES:

1. ALL INFORMATION TO BE CHECKED ON SITE PRIOR TO FABRICATION AND CONSTRUCTION.
2. DRAWINGS BASED ON INFORMATION PROVIDED BY OTHERS.
3. CONSTRUCTION CONTRACTOR TO CONFIRM SUITABILITY OF PROPOSED EWP SET-UP/PARKING LOCATION ON SITE PRIOR TO WORK COMMENCING.
4. SERVICES INFORMATION CONTAINED ON THIS DRAWING IS INDICATIVE ONLY AND REFERENCE SHOULD BE MADE TO THE AUTHORITIES DRAWINGS TO CONFIRM ACCURACY AND COMPLETENESS. WHERE INFORMATION IS AVAILABLE, THE SUB-SURFACE SERVICES INSTALLED BY AGENTS OTHER THAN AUTHORITIES HAVE BEEN SHOWN, BUT ADDITIONAL UNDOCUMENTED SERVICES MAY BE PRESENT. SHOULD THE CONTRACTOR BELIEVE THAT SUB-SURFACE SERVICES ARE AT RISK OF DAMAGE DURING CONSTRUCTION, THE CONTRACTOR SHOULD NOTIFY THE RELEVANT AUTHORITIES AND ESTABLISH THE EXACT LOCATION OF THE SERVICES.

LEGEND

- PROPERTY BOUNDARY
- Ofo — Ofo — OPTUS FIBRE OPTIC
- O e — O e — OPTUS UG ELECTRICITY
- E — E — O/H POWER SUPPLY



NOT TO SCALE

Based on information provided by and with the permission of the
Water Department, City of Armadale. Aerial photograph supplied by LandInfo. Photo courtesy of NorthMap.

Overall Site Plan
Lot 969 Seventh Road, Armadale

DATE: 10 January 2017 - REVISION: 01
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Rev	Date	Revision Details	Consultant	CAD	Designer	Verifier	Approver
01	14.06.17	NOT FOR CONSTRUCTION (ROAD AND RAIL)	SSMC	JM	-	-	DP

servicestream
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Client: **OPTUS**

Project: **MOBILE NETWORK AUSTRALIA**
SITE No:- P0690
BROOKDALE EAST
GWYNNA PARK

Drawing Title: **OVERALL SITE PLAN**

Drawing Status: **NOT FOR CONSTRUCTION**

Drawing No: **P0690-G2**

Revision: **01**





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WAerial photograph supplied by Landgate. Processed by NasaFoto.



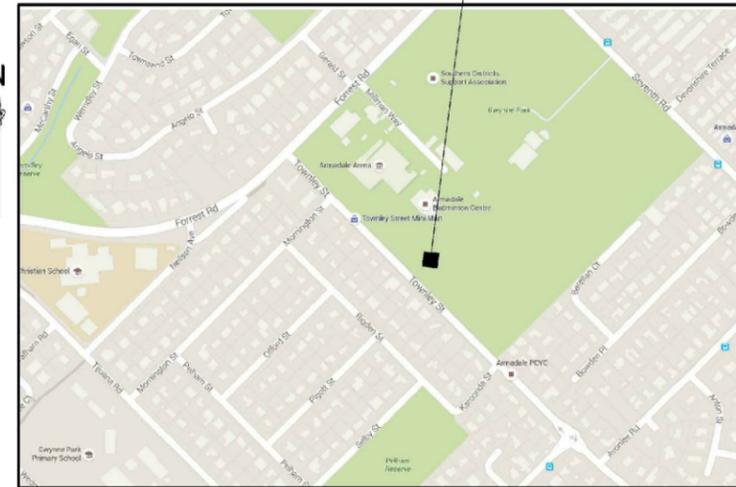
Site Specifications
Lot 969 Seventh Road, Armadale

DATE: 10 January 2017 - REVISION 1 TO
P:\Development\armadale\p0690\p0690_g01.dwg

SITE ADDRESS

GWYNNE PARK,
ARMADALE,
WA 6112

OPTUS SITE P0690



TOPOGRAPHIC MAP ... COPYRIGHT © GOOGLE MAPS

SITE LOCATION DATA	
SOURCE: SURVEY	
DATUM: MGA (GDA94)	ZONE: 50
REF LOCATION:	€ MONOPOLE
EASTING	405 877
NORTHING	6 441 582
LATITUDE	-32.159265°
LONGITUDE	116.004225°
WGS84 DATUM (USED BY GPS DEVICES) CAN BE CONSIDERED SAME AS GDA94 (SOURCE: "GEOCENTRIC DATUM OF AUSTRALIA TECHNICAL MANUAL" VERSION 2.3)	

EXISTING SITE HAZARDS

1. MANUAL HANDLING.
2. WORKING AT HEIGHTS.
3. SLIP, TRIP AND FALLS.
4. ELECTRICAL HAZARDS.
5. WEATHER / LIGHTNING.
6. SUN EXPOSURE.
7. WILDLIFE / INSECTS.

WHS SAFETY IN DESIGN RISK ASSESSMENT

ALL HAZARDS ASSOCIATED WITH THE DESIGN OF THE PROPOSED WORKS AS WELL AS ANY EXISTING OR LEGACY DOCUMENTATION "OM38346 - MRD WHS SAFETY IN DESIGN RISK ASSESSMENT MATRIX.

SITE SIGNAGE

SITE SIGNAGE SHALL BE IN ACCORDANCE WITH OSD-170 (GROUND SITE).

EME EXCLUSION ZONES

1. REFER TO RADIO COMMUNICATIONS SITE MANAGEMENT BOOK (RCSMB) FOR LATEST EME EXCLUSION ZONES FOR EXISTING AND PROPOSED ANTENNAS AT THIS SITE.
2. REFER TO DRAWING P0690-G3 FOR CONTROL MEASURES AT THIS SITE.

GENERAL

1. THE CONTRACTOR SHALL COMPLY WITH ALL THE RELEVANT OPTUS CONSTRUCTION STANDARDS AND SPECIFICATIONS.
2. ALL INFORMATION TO BE CHECKED ON SITE PRIOR TO FABRICATION AND CONSTRUCTION.

NEW OPTUS MONOPOLE

1. NEW OPTUS 28m HIGH STEEL ROCLA/ROAM/LeBLANC/FEC MONOPOLE WITH TURRET HEADFRAME. REFER TO ROCLA/ROAM/LeBLANC/FEC MONOPOLE CERTIFICATE N^o _____.
2. NEW ANTENNAS TO BE INSTALLED ON NEW TURRET HEADFRAME. REFER TO CERTIFICATE OF STRUCTURAL ADEQUACY N^o _____ DATED 00/00/0000.
3. ANTENNA MAINTENANCE ACCESS BY QUALIFIED PERSONNEL ONLY VIA STEP PEGS WITH FALL ARREST SYSTEM PROVIDED ON MONOPOLE.
4. REFER TO CONSULTANT'S GEOTECHNICAL INVESTIGATION REPORT FOR SUBSOIL CONDITIONS.

EQUIPMENT SHELTER / FITOUT

OPTUS 3 BAY ODU ON CONCRETE SLAB, COLOURED 'PALE EUCALYPT'.

TRANSMISSION

THIS SITE SHALL BE LINKED TO THE NETWORK VIA OPTIC FIBRE.

REMOTE ELECTRONIC TILT

RET CONTROL FOR THIS SITE TO BE INSTALLED AS PER OPTUS (OM38040) RET/MHA DEPLOYMENT GUIDE LATEST REVISION.

CONSTRUCTION SITE ACCESS

1. EXISTING TRACK FROM AS INDICATED ON DRAWING P0690-G1.
2. SITE CONTACT IS NAME AND CONTACT DETAILS.

Rev	Date	Revision Details	Consultant	CAD	Designer	Verifier	Approver
01	14.06.17	NOT FOR CONSTRUCTION (ROAD AND RAIL)	SSMC	JM	-	-	DP



Client:
OPTUS

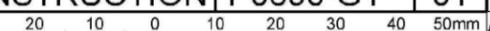
Project:
MOBILE NETWORK AUSTRALIA
SITE No:- P0690
BROOKDALE EAST
GWYNNA PARK

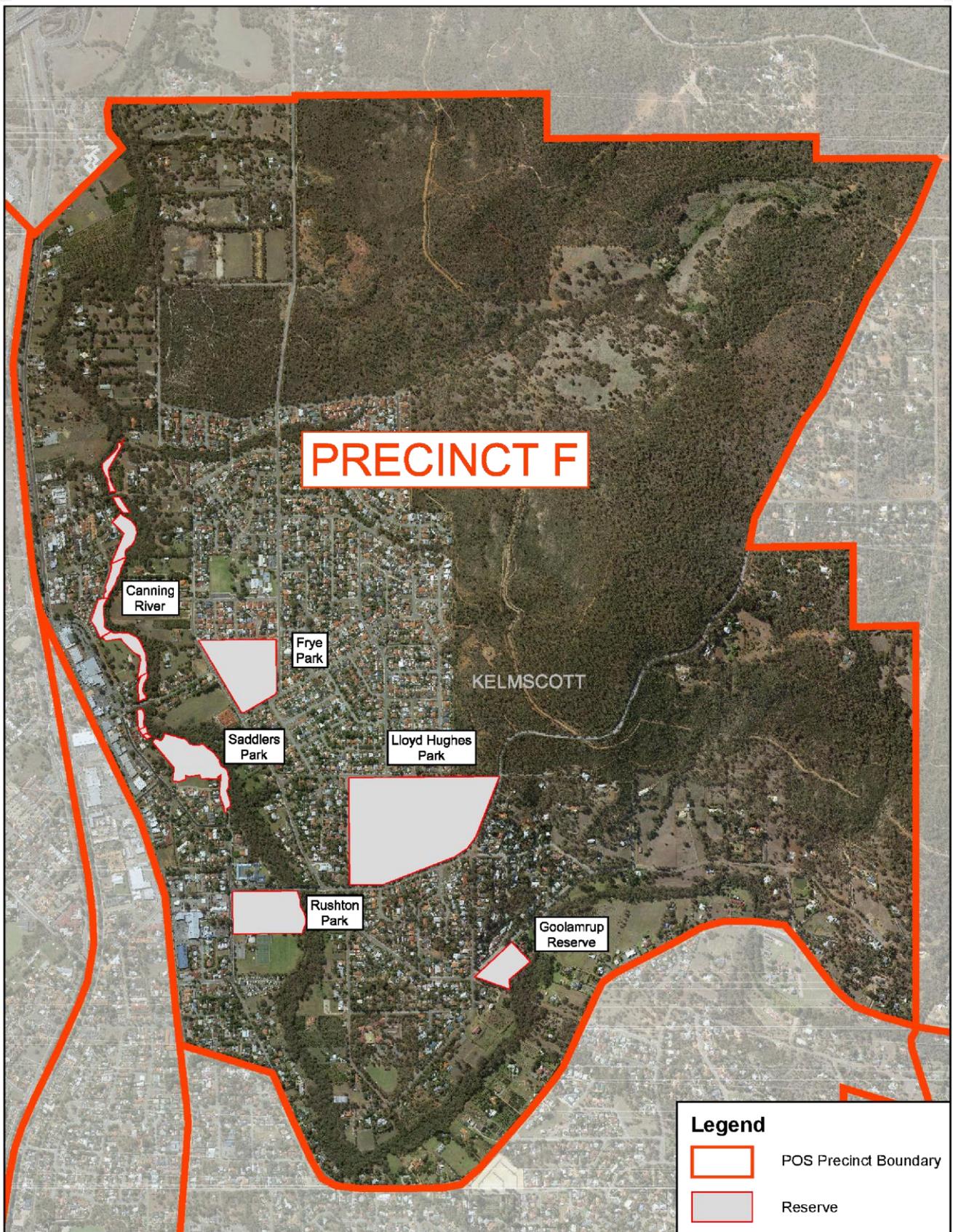
Drawing Title:
SITE SPECIFICATIONS

Drawing Status:
NOT FOR CONSTRUCTION

Drawing No:
P0690-G1

Revision:
01





LOCATION PLAN
Public Open Space Strategy
Precinct F



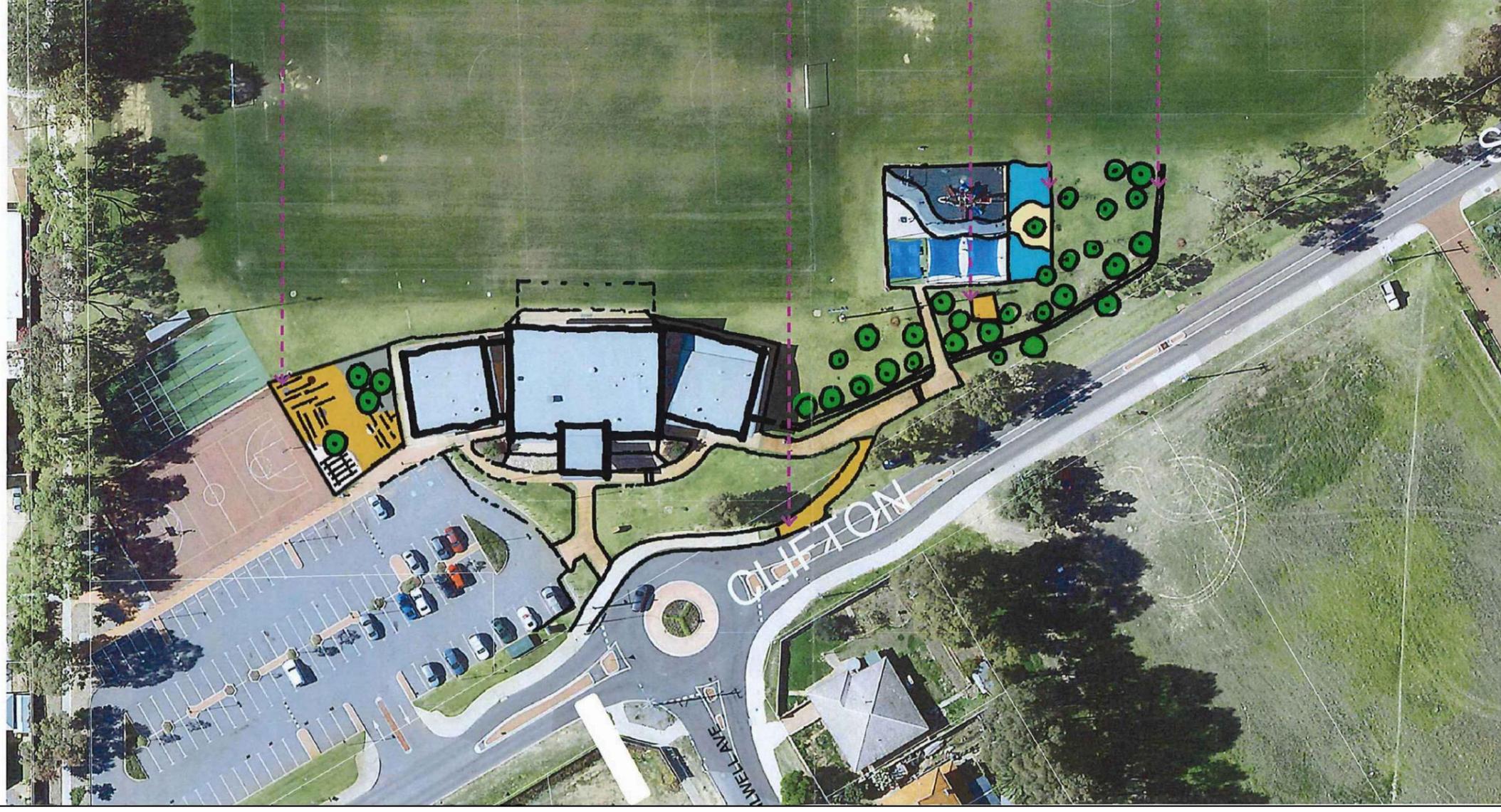
SCALE 1 : 22500

DATE 10 January 2017 - REVISION 1701
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Based on information provided by and with the permission of the
Western Australian Land Information Authority Reading as Landgate (2012).
Aerial photographs supplied by Landgate, Perthshire by Headmap.



FRYE PARK PRECINCT F PROPOSAL



12+ PLAY SPACE

- PLAY SPACE ENCOURAGING ACTIVE PLAY FOR AGES 12+
- DESIGN TO BE DETERMINED THROUGH COMMUNITY ENGAGEMENT
- HARDWORKS INCLUDING WALLS, FRAMEWORK, UNDERSURFACING, CLIMBING FRAME, JUMPING POSTS AND CULVERTS
- SHADED SEATING
- RETAIN MAINTENANCE ACCESS

PATH

- CONNECT ROADSIDE FOOTPATH TO PLAYGROUND

PROPOSED PICNIC NODE

- PROPOSED PICNIC NODE IN SAFE PROXIMITY TO THE PLAYGROUND. NODE TO INCLUDE BBQ AND SHADE, LIMITED HARDSTAND TO RETAIN NATURAL SETTING

PLAYGROUND

- EXPAND PLAYGROUND TO INCLUDE PLAY FOR THE 7 - 12 YEAR OLD AGE GROUP
- ADDITIONAL SOFTFALL TO ENHANCE THE EXISTING PIRATE SHIP

PROPOSED FENCE

- LOW FENCE TO INCLUDE SWING GATE. FENCE TO BE LOCATED ON THE ROAD SIDE OF THE PLAYGROUND
- ENTRANCE TO THE PLAY - GATED WITH FEATURE TREES
- ADDITIONAL TREE PLANTING TO THE PLAYZONE

Frye Park



NOT TO SCALE

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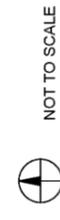
FRYE PARK MASTERPLAN - As endorsed by Council on 11 July 2016 (C25/7/16)



As per discussion at the Community Services Committee Meeting on 5/7/2016 consideration be given to:
 - Item 4 - move the path connections to enhance the connection to the aged care facility, and
 - Mark more clearly the junior playing fields on the south eastern portion of Frye Park

- 1** PROPOSED STREET TREES TO ENHANCE THE STREETScape
- 2** PROPOSED POD SEATS TO PROVIDE SEATING OPPORTUNITIES AROUND SPORTS FACILITIES
- 3** ADDITIONAL TREE PLANTING TO POS PERIMETER
- 4** PROVIDE A PERIMETER PATH NETWORK TO CONNECT INTO THE EXISTING BROADER PATH NETWORK
- 5** PROPOSED NODE TO THE EASTERN SIDE OF THE POS. THIS NODE IS TO PROVIDE SEATING AND SHELTER FOR OVAL VIEWING
- 6** PROPOSED STREET TREES TO ENHANCE THE LUCICH STREET STREETScape
- 7** SHADE AWNING AND LIGHTS TO THE EASTERN FACADE
- 8** FITNESS NODES TO THE LOCATED ALONG THE PERIMETER PATH, WITH A NODE OF EQUIPMENT OPPOSITE THE AGED CARE VILLAGE
- 9** PATH CONNECTIONS TO ENHANCE THE CONNECTION TO THE AGED CARE FACILITY
- 10** FITNESS DISTANCE MARKERS TO BE INCLUDED ON THE PATH FOR ADDITIONAL FITNESS FUNCTION
- 11** OPT MISE INFORMAL PARKING TO CLIFTON STREET
- 12** PROPOSED TREES AROUND THE PLAY ZONE
- 13** EXPAND PLAYGROUND TO INCLUDE PLAY FOR THE 7 - 12 YEAR OLD AGE GROUP
- 14** ADDITIONAL SOFTFALL TO ENHANCE THE EXISTING PIRATE SHIP
- 15** PROPOSED PICNIC NODE IN CLOSE PROXIMITY TO THE PLAYGROUND. NODE TO INCLUDE BBQ, DRINK FOUNTAIN AND SHADE
- 16** LOW FENCE TO INCLUDE SWING GATE. FENCE TO BE LOCATED ON THE ROAD SIDE OF THE PLAYGROUND
- 17** ENTRANCE TO THE PLAY - GATED WITH FEATURES TREES
- 18** ADDITIONAL TREE PLANTING TO THE PLAYZONE
- 19** PROVIDE PATH CONNECTION FROM THE EXISTING PATH TO ENHANCE CONNECTIVITY WITH THE PARK
- 20** SIGNAGE TO THE STREET FRONTAGE TO PROMOTE THE SPORTING GROUPS

Frye Park



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RUSHTON PARK - CONCEPT PLAN SEATING Precinct F Scope



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Rushton Park

DATE: 10 January 2017 - REVISION: 101
PROJECT: Rushton Park Precinct F Masterplan

CONCEPT PLAN - RUSHTON CANNING RIVER WALK TRAIL PRECINCT F PROPOSAL



- POS F PROPOSAL**
- ① STAGE 4 REVEGETATION - APPLICATION OF WOODY AND SOFT WEED CONTROL PRIOR TO PLANTING. PROTECTIVE FENCING
 - ② NATURAL EARTH BEACH; INFORMAL RIVER ACCESS
 - ③ INFORMAL PATHWAY - COMPACTED EARTH
 - ④ RESTORATION FENCING
 - ⑤ VIEWING DECK - RIVER VIEWS
 - INTERPRETIVE SIGNAGE
- PROPOSED FUTURE WORKS**
- PLAYGROUND UPGRADE
 - PICNIC NODE
 - PLAY ELEMENT CONNECT TO PLAZA

NOT TO SCALE



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Rushton Canning River

DATE: 10 January 2017 - REVISION: 101
PROJECT: Rushton Park Precinct F
PROJECT: Rushton Park Precinct F



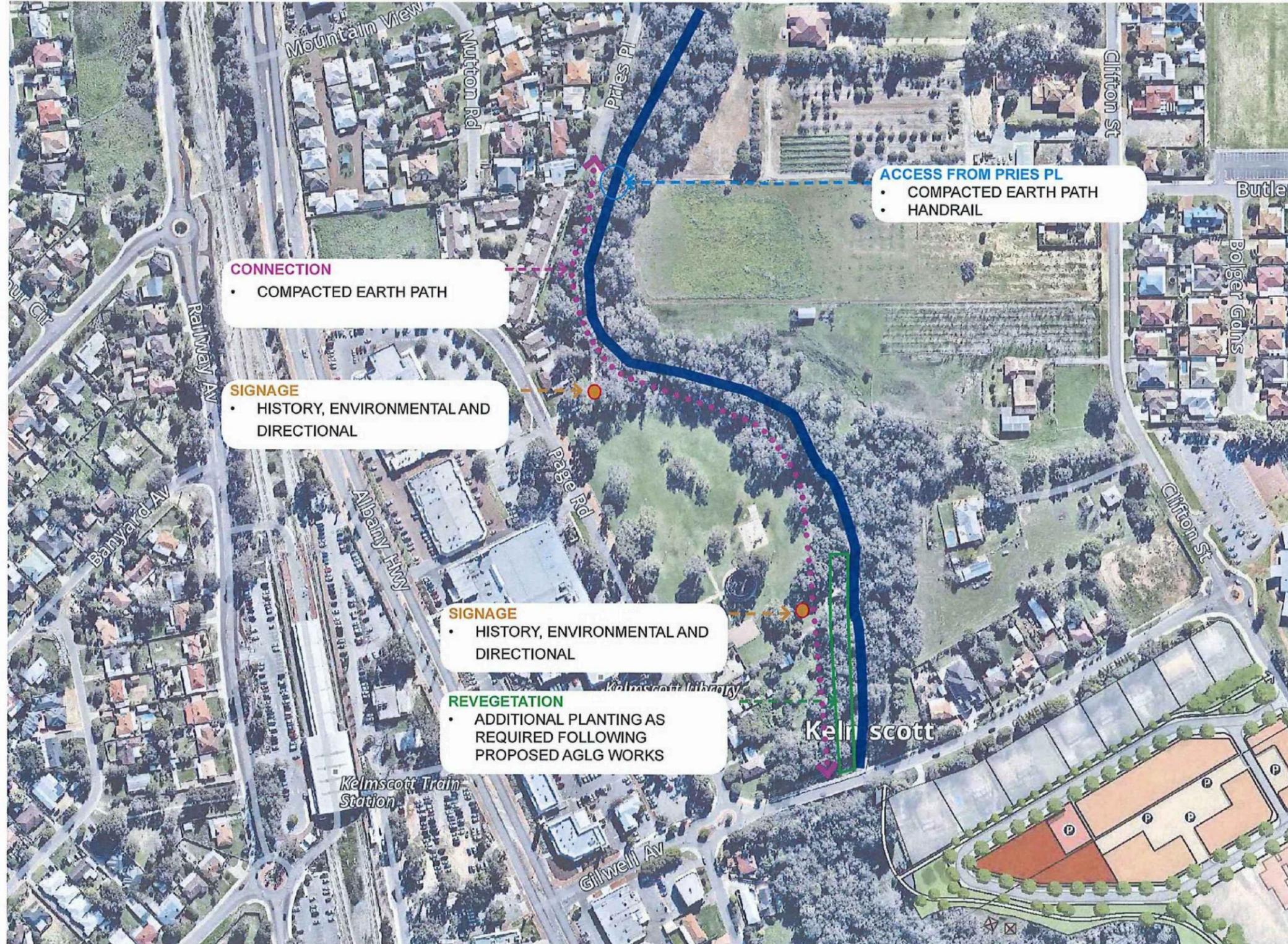
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Rushton Park

CANNING RIVER WALK TRAIL PRECINCT F PROPOSAL





RESERVE UPGRADE CONCEPT

Precinct F
Lloyd Hughes Reserve

DATE 21 February 2017 - REVISION 1701
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SCALE 1 : 3000

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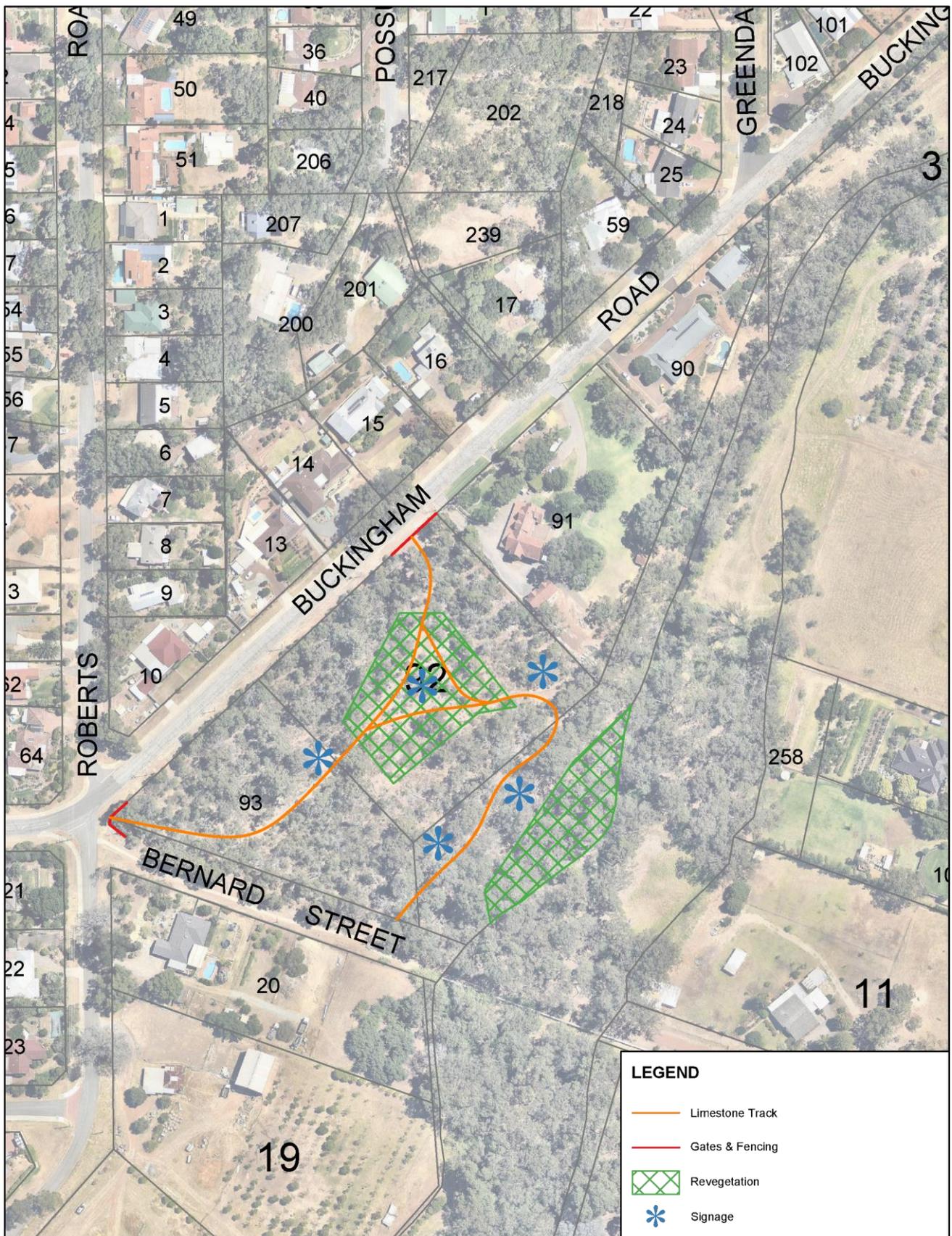
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Lloyd Hughes Reserve

DATE: 10 January 2017 - REVISION: 1701
PROJECT: Precinct F Upgrade



RESERVE UPGRADE CONCEPT

Precinct F
Goolamrup Reserve



SCALE 1 : 2000

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Western Australian Land Information Authority (including its Landgate) (2012).
Aerial photograph supplied by Landgate. Photographs by NearMap.



DATE 1 February 2017 - REVISION 1701

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Location Plan

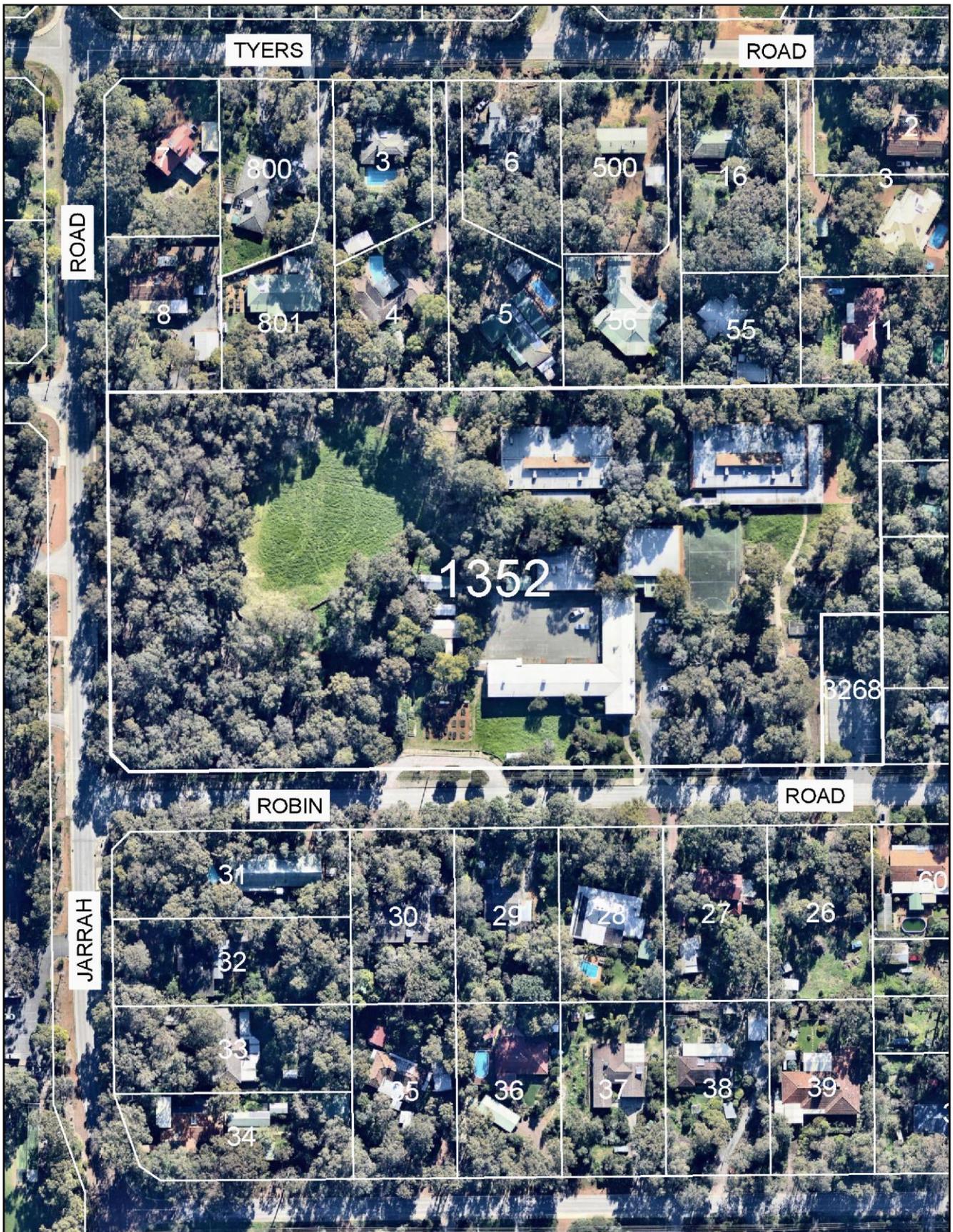
Lots 1352 & 3268 Robin Road
 Roleystone (Former Roleystone Primary School)



DATE 3 November 2016 - REVISION 1601

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 Western Australian Land Information Authority trading as Landgate (2012).
 Aerial photograph supplied by Landgate, Photoscape by NearMap





Aerial Plan

Lots 1352 & 3268 Robin Road
Roleystone (Former Roleystone Primary School)



SCALE 1 : 2000

DATE 3 November 2016 - REVISION 1601

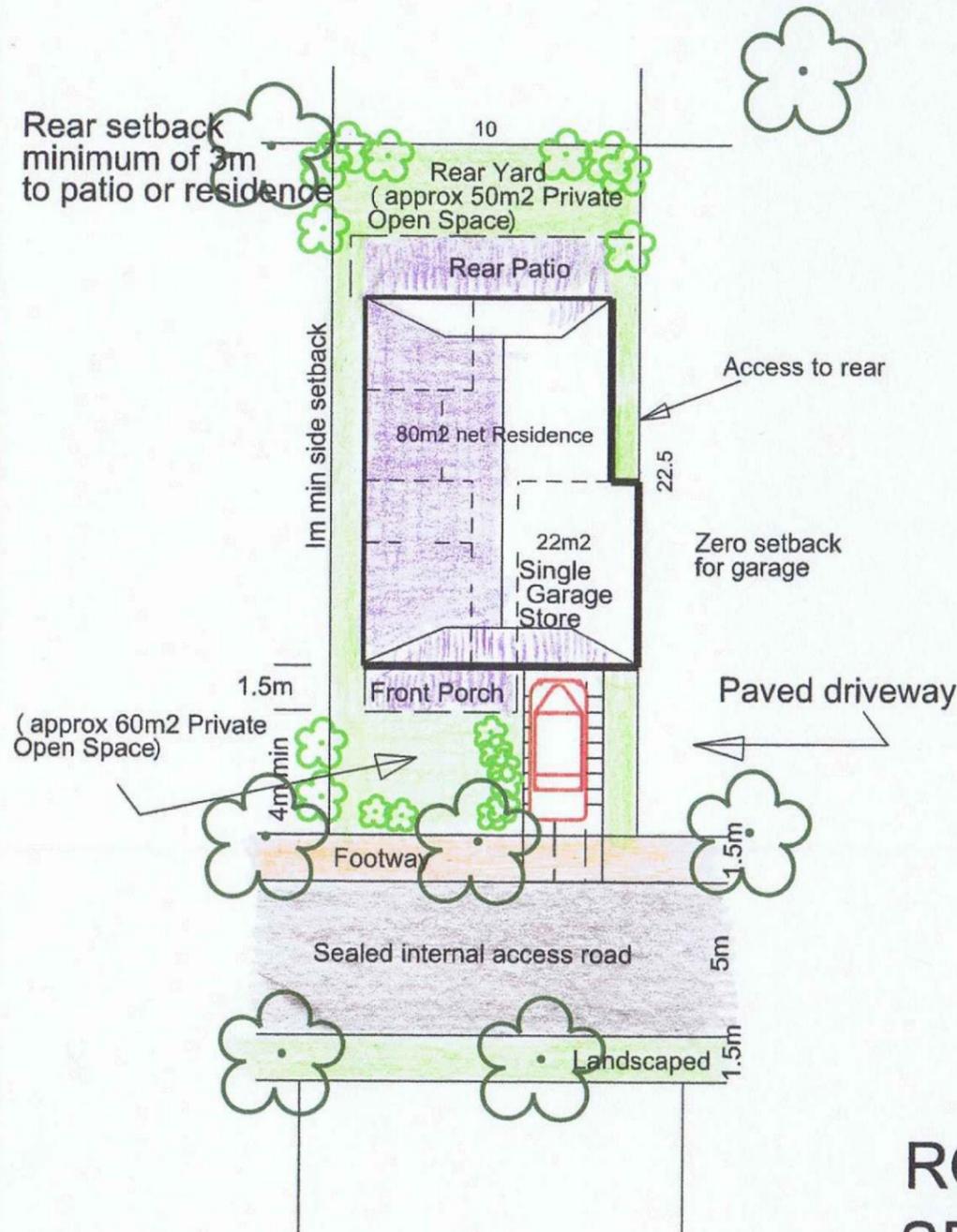
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LOCAL DEVELOPMENT PLAN

10m Frontage - INDICATIVE LOT LAYOUT

(Note:- It is proposed to offer more than 1 house design but each will require the same basic site layout as detailed in this plan)



Other than as specified on this plan all site requirements to accord with R30 codes of the Residential Dental Codes or as approved by Council.

- Minimum frontage 10m
- Minimum lot size 250m²
- Minimum front setback to residence - 5.5m
- Minimum front setback to porch, where provided, 4m
- Garage to be setback minimum of 1m from front facade of residence or 1.5m from front of porch
- Garage side setback to be minimum of zero
- Side setback for residence to be minimum of 1m
- Porch area at front to encourage public surveillance and community interaction
- The design of each residence will be compliant with AS 4299 Adaptable Housing requirements.
- Residence Design Principles - to form part of Development Application and to include low heat absorption colorbond roof materials; pitch and style; double brick main construction using selected colour scheme common colorbond fencing scheme with selected colour range per sector, common coloured paving of local character

ROBIN Rd - ROLEYSTONE
SENIORS ESTATE

Scale:- 1:270 (A4)

Scale:- 1:200 (A3)

27 April 2017

NOT TO SCALE

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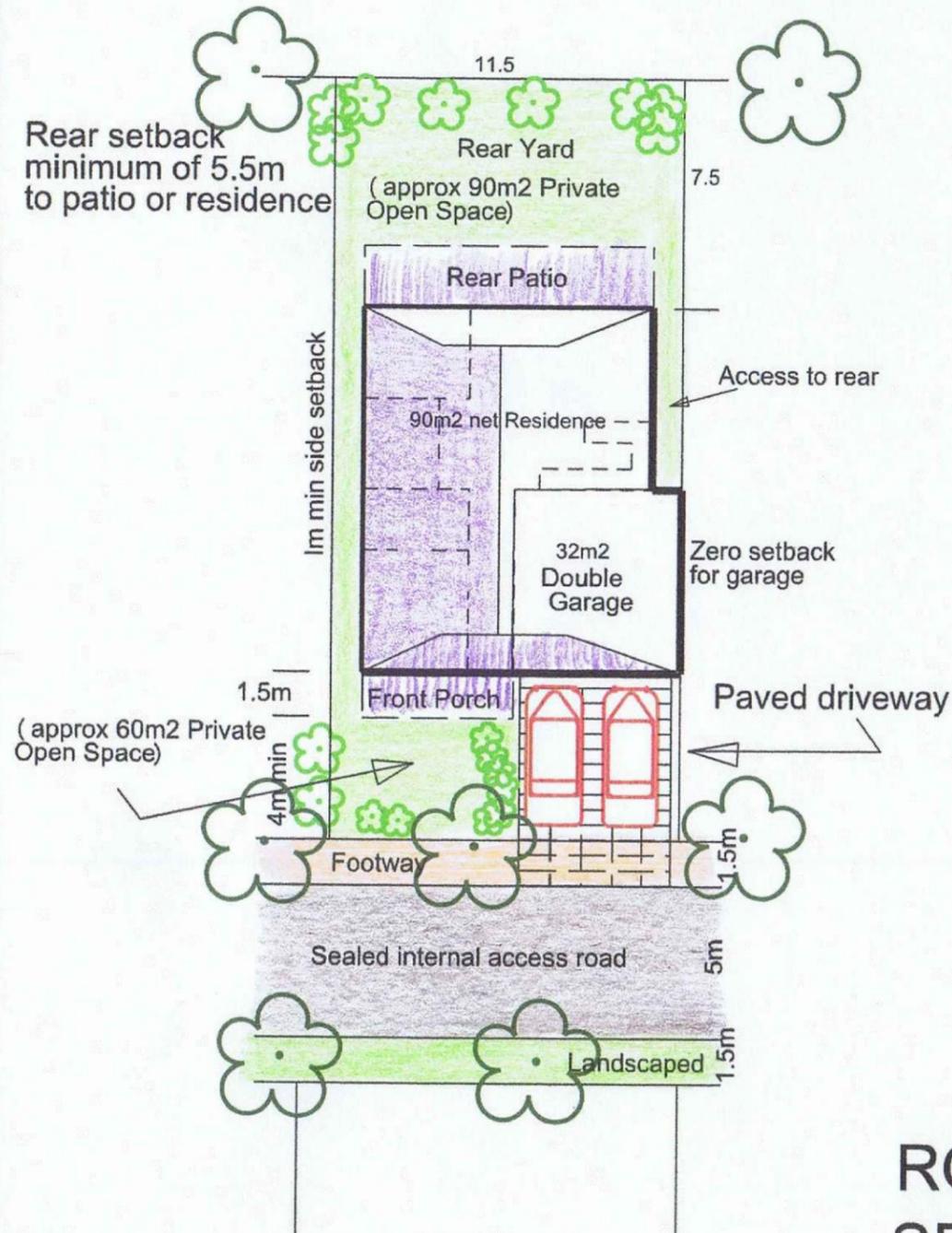
Local Development Plan
Robin Rd, Roleystone

DATE 10 August 2017 - REVISION 1/01

LOCAL DEVELOPMENT PLAN

11.5m Frontage - INDICATIVE LOT LAYOUT

(Note:- It is proposed to offer more than 1 house design but each will require the same basic site layout as detailed in this plan)



Other than as specified on this plan all site requirements to accord with R30 codes of the Residential Dential Codes or as approved by Council.

- Minimum frontage 11.5m
- Minimum lot size 300m²
- Minimum front setback to residence - 5.5m
- Minimum front setback to porch, where provided, 4m
- Garage to be setback minimum of 1m from front facade of residence or 1.5m from front of porch
- Garage side setback to be minimum of zero
- Side setback for residence to be minimum of 1m
- Porch area at front to encourage public surveillance and community interaction
- The design of each residence will be compliant with AS 4299 Adaptable Housing requirements.
- Residence Design Principles - to form part of Development Application and to include low heat absorption colorbond roof materials; pitch and style; double brick main construction using selected colour scheme common colorbond fencing scheme with selected colour range per sector, common coloured paving of local character

ROBIN Rd - ROLEYSTONE
SENIORS ESTATE

Scale:- 1:270 (A4)

Scale:- 1:200 (A3)

27 April 2017

NOT TO SCALE

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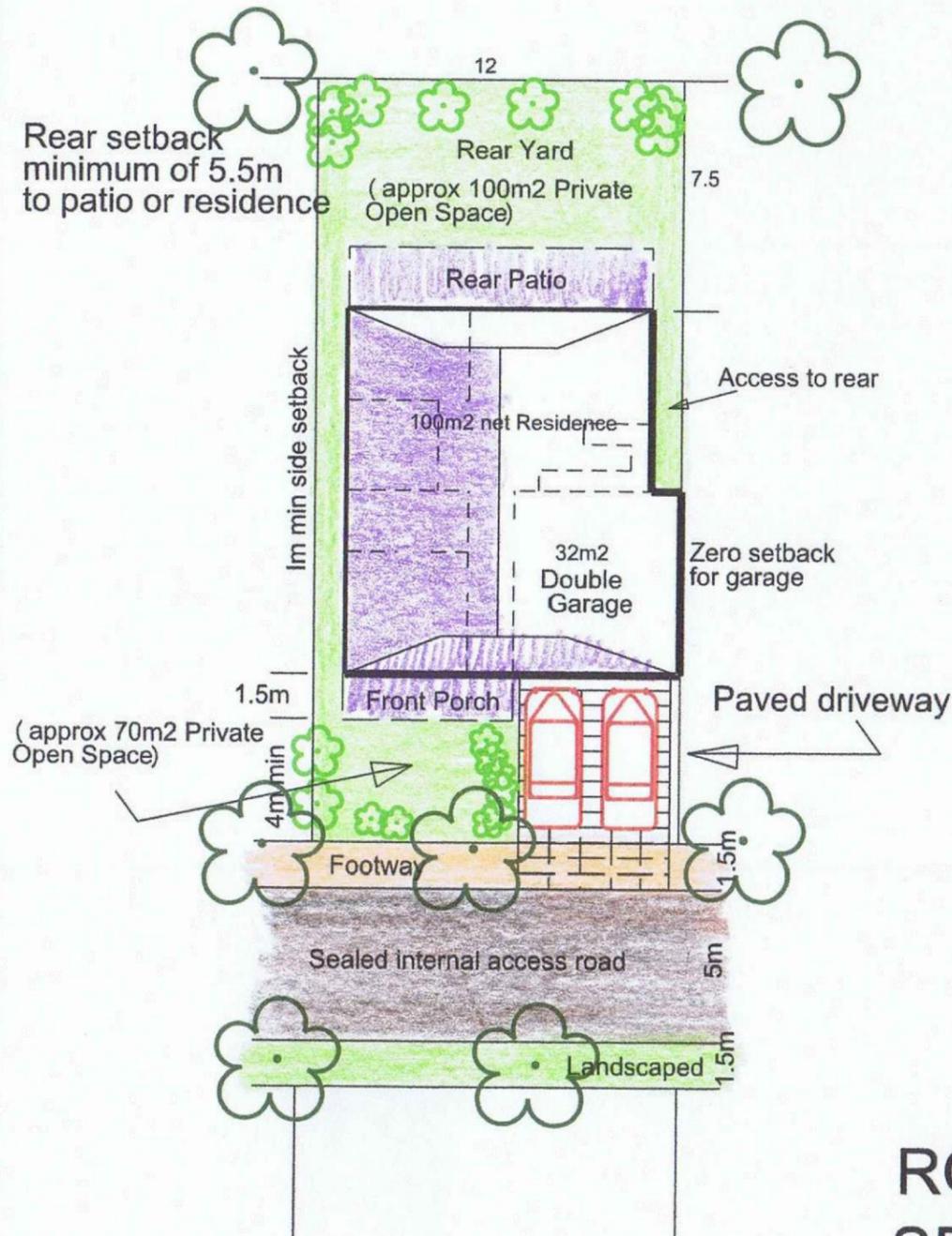
Local Development Plan
Robin Rd, Roleystone

DATE 10 August 2017 - REVISION 1701

LOCAL DEVELOPMENT PLAN

12m Frontage - INDICATIVE LOT LAYOUT

(Note:- It is proposed to offer more than 1 house design but each will require the same basic site layout as detailed in this plan)



Other than as specified on this plan all site requirements to accord with R30 codes of the Residential Dental Codes or as approved by Council.

- Minimum frontage 12m
- Minimum lot size 300m²
- Minimum front setback to residence - 5.5m
- Minimum front setback to porch, where provided, 4m
- Garage to be setback minimum of 1m from front facade of residence or 1.5m from front of porch
- Garage side setback to be minimum of zero
- Side setback for residence to be minimum of 1m
- Porch area at front to encourage public surveillance and community interaction
- The design of each residence will be compliant with AS 4299 Adaptable Housing requirements.
- Residence Design Principles - to form part of Development Application and to include low heat absorption colorbond roof materials; pitch and style; double brick main construction using selected colour scheme common colorbond fencing scheme with selected colour range per sector, common coloured paving of local character

ROBIN Rd - ROLEYSTONE
SENIORS ESTATE

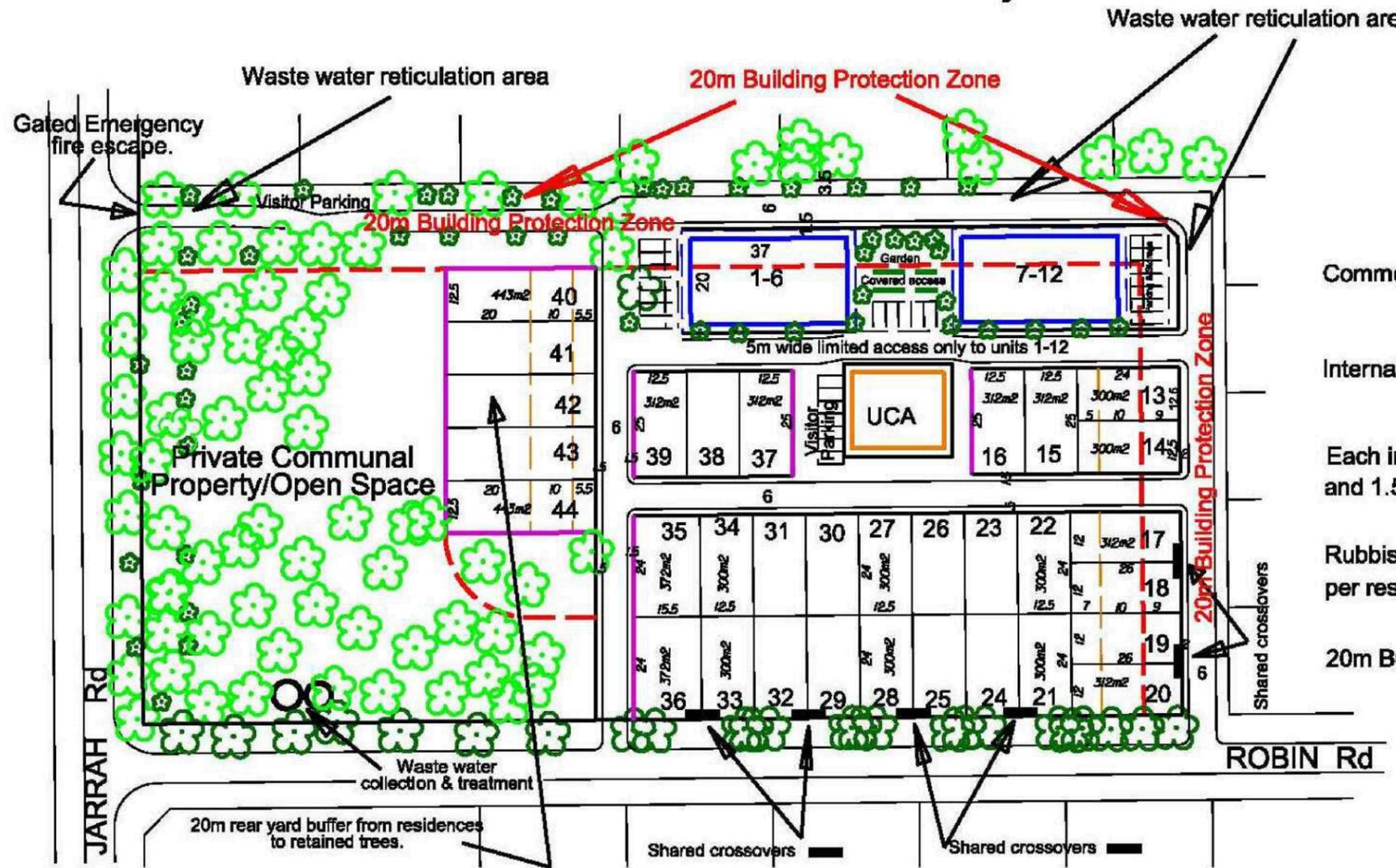
Scale:- 1:270 (A4)

Scale:- 1:200 (A3)

27 April 2017

LOCAL DEVELOPMENT PLAN

Lot 1352 & 3268 Robin Rd - Roleystone



NOTES

- Common boundary fence by owner. ———
- Internal roads to be 9m wide with 6m pavement.
- Each internal road to have 1.5m paved footway and 1.5m landscaping strip by owner.
- Rubbish removal by individual internal pickup per residence.
- 20m Building Protection Zone - - - - -

- UCA Under Cover Area to be retained for social activities of residents.
- Building Protection Zone - refer to FMP
- 19 BAL Classification
- Building Envelope for selected lots.

SENIOR'S ESTATE

Scale:- 1:1,500 (A4)
1:1,000 (A3)

Date - 21 April 2016

Trees/landscaping by owner subject to detailed landscaping plan at time of subdivision.



NOT TO SCALE

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Local Development Plan
Robin Rd, Roleystone

LOCAL DEVELOPMENT PLAN

Lot 1352 & 3268 Robin Rd - Roleystone

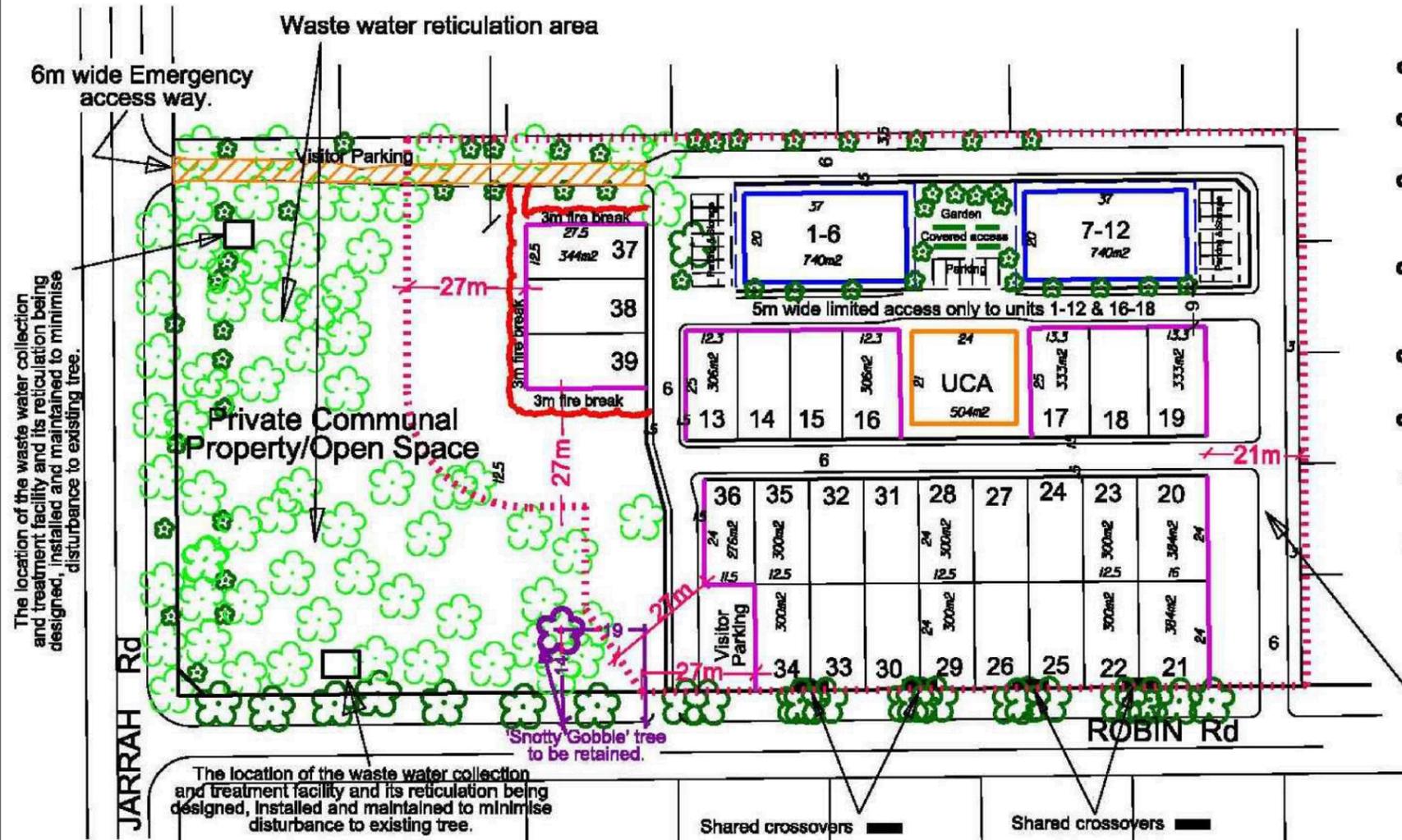
**AS ADOPTED by
Council Dec 19 2016
with modifications and FMP.**



PROVISIONS

- Common boundary fence by owner.
- Internal roads to be 9m wide with 6m pavement.
- Each internal road to have 1.5m paved footway and 1.5m landscaping strip by subdivider.
- Rubbish removal by individual internal pickup per residence.
- Trees/landscaping by owner subject to detailed plan at time of subdivision.
- Asset Protection Zone (APZ)
- Existing buildings to be retrofitted as Built Strata Units.
- UCA - Existing structure to be retained for community use

21m APZ - Where appropriate noteworthy trees to remain subject to Council and BMP requirements.



NOT TO SCALE

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Building Design Elements

- ▶ All Buildings to be compliant with relevant Australian Standards including BCA, Adaptable Housing, Bushfire Prone Areas and Residential Design Codes.
- ▶ Roofing to be of 'Colorbond' type metal in pale tones for minimum heat absorption. Design and slope to minimise valleys and slope to be at lower range of manufactures standards to minimise maintenance. Consideration of Dutch gable component for potential secured roof ventilation.
- ▶ Facade - consideration for 'Californian Bungalow' style with front porch area for public surveillance.
- ▶ Garages to be fitted with electronic roller/panel lift doors.
- ▶ External walls to be brick with a variety of colours as approved by Council.
- ▶ Particular attention to be given to privacy issues as determined by Council.

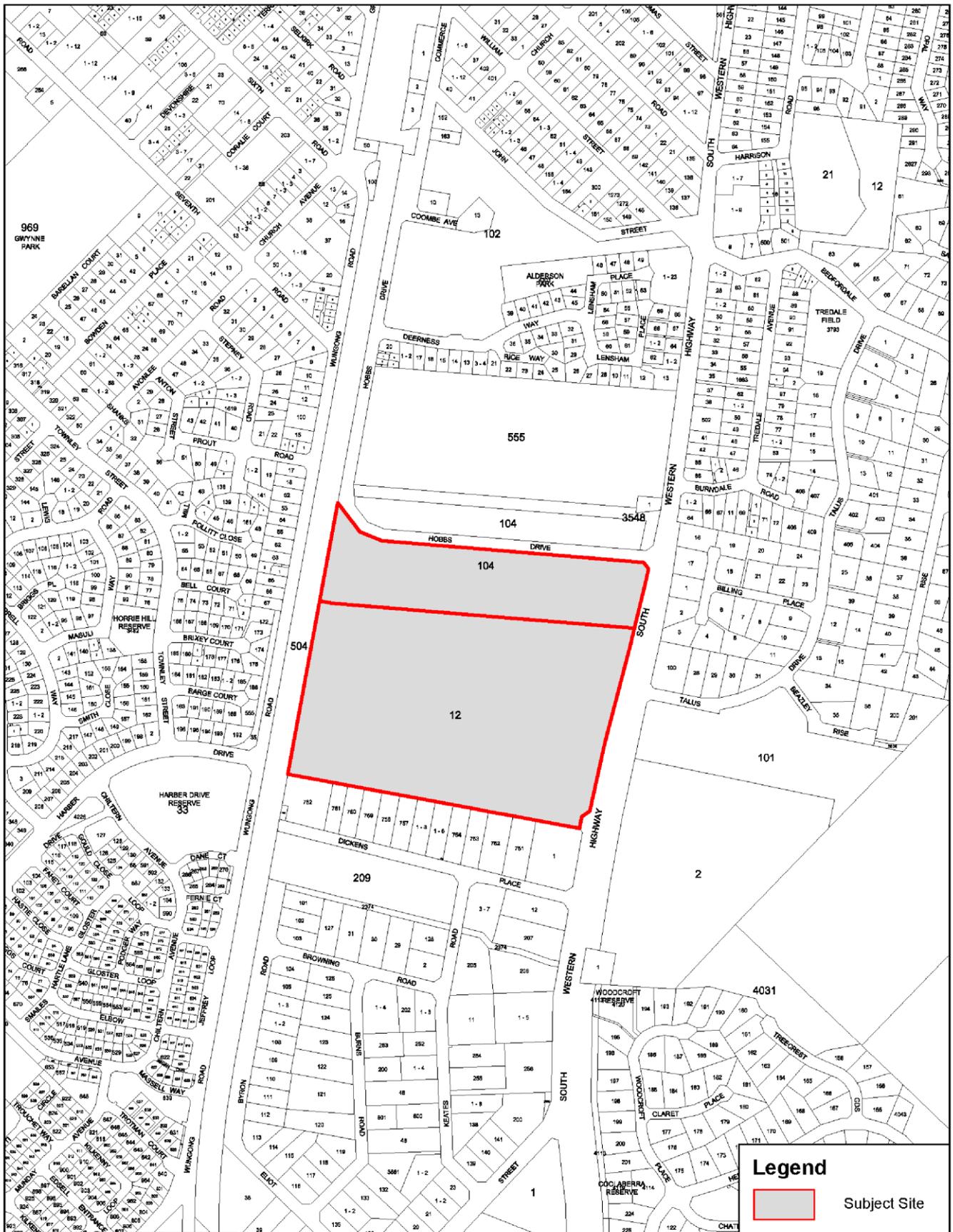
ROBIN Rd ESTATE

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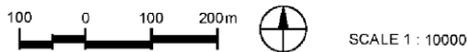
Date - 14 May 2017

Local Development Plan
Robin Rd, Roleystone

DATE 10 August 2017 - REVISION 1701



LOCATION PLAN
Lot 104 & 12 (No. 245) South West Hwy
Armadale



DATE 15 August 2017 - REVISION 1701
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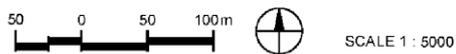
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Aerial photographs supplied by Landspace, Photocopies by HeadMap.





AERIAL PLAN

Lot 104 & 12 (No. 245) South West Hwy
Armadale



SCALE 1 : 5000

DATE 15 August 2017 - REVISION 1701
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Aerial photographs supplied by Landpulse. Photographs by NewsMap.



